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AN INQUIRY

INTO THE

NATURE OF SUBSCRIPTION

TO THE

THIRTY-NINE ARTICLES.

Wherein it is proposed to examine,

- I. HOW FAR SUBSCRIPTION IS CONSISTENT WITH THE NATURAL RIGHTS OF MANKIND.
- II. HOW FAR IT IS CONSISTENT WITH THE POWERS OF THE HUMAN MIND.
- III. HOW FAR IT IS CONSISTENT WITH THE PRINCIPLES OF THE BRITISH CONSTITUTION.
- IV. HOW FAR IT IS CONSISTENT WITH THE DOCTRINES AND PRECEPTS OF CHRISTIANITY.

SECOND EDITION,

CORRECTED, ALTERED, AND MUCH ENLARGED;
WITH A PREFACE, AND INDEX.

By *GEORGE DYER, A. B.*

LATE OF EMANUEL COLLEGE, CAMBRIDGE.

Ὅθεν οἶμαι δεῖν τοῖς περὶ ταῦτα πικνουμένοις λογὰν διδόναι τὸν μὲν ὑπερ τῆς ἀλη-
θείας, τὸν δὲ περὶ τῆς ἀληθείας. ATHENAG. de mort. resurrect. f. 1.

Victa jacet pietas.

OVID. METAMORPH. l. 1.

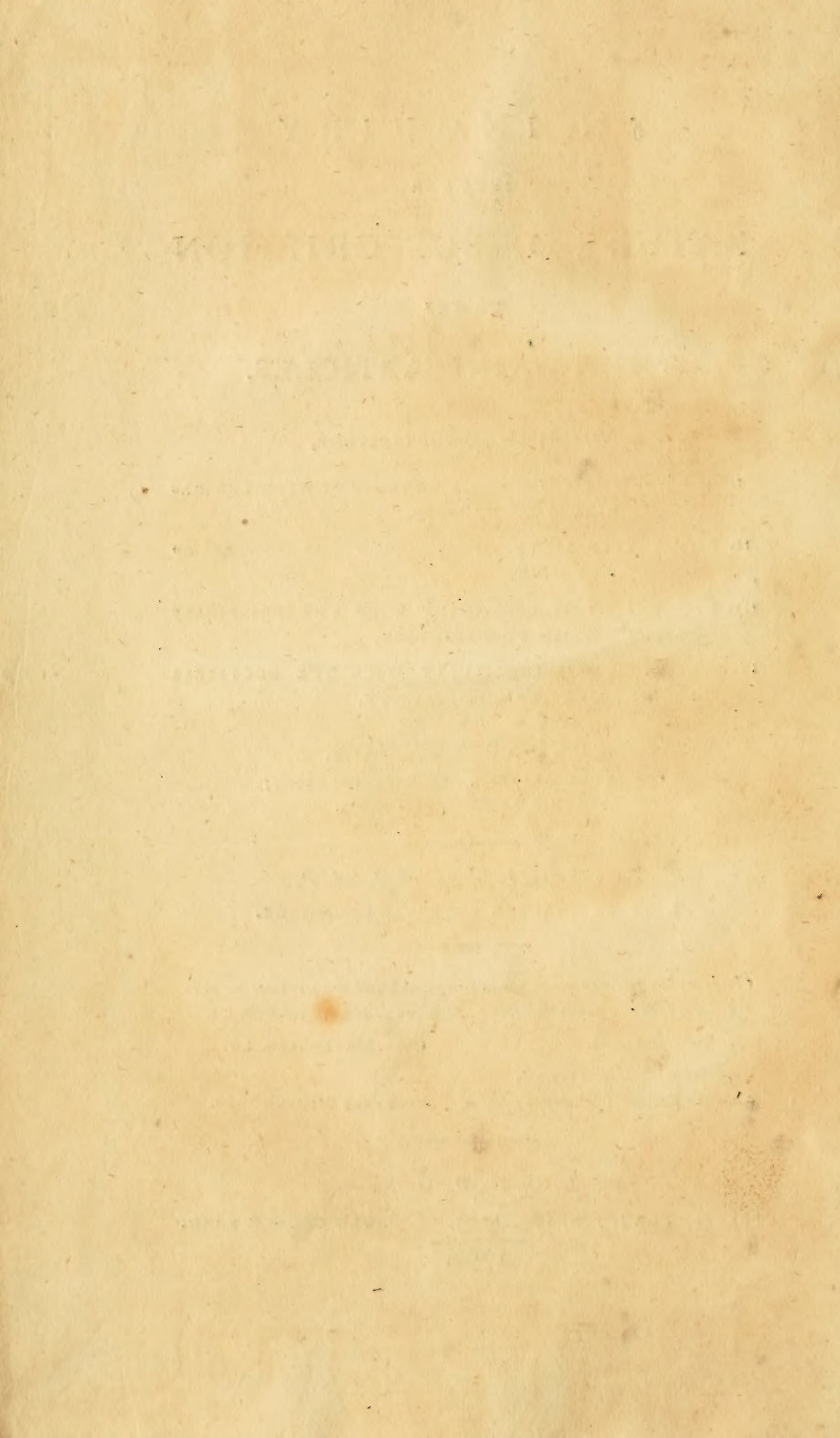
—Manus hac inimica tyrannis

—petit placidam sub libertate quietem. ALGERNON SIDNEY'S Motto.

L O N D O N:

PRINTED FOR J. JOHNSON, N^o 72, ST. PAUL'S CHURCH YARD.

1792.



TO
ROBERT TYRWHITT, A. M.
WHO FIRST ATTEMPTED TO RESTORE RELIGIOUS LIBERTY
TO THE
MEMBERS OF THE UNIVERSITY OF CAMBRIDGE,
BY PROPOSING A GRACE,
FOR THE REMOVAL OF SUBSCRIPTION
TO THE THIRTY-NINE ARTICLES,
AT THE TIME OF TAKING DEGREES;
THE FOLLOWING
I N Q U I R Y
INTO THE NATURE OF SUBSCRIPTION,
IS INSCRIBED,
WITH GRATITUDE AND RESPECT,
BY THE AUTHOR,

P R E F A C E.

As an Inquiry into the nature of Subscription, under the form in which I discussed it in the year 1789, was of no small variety, and of no inconsiderable extent, some inaccuracies may be expected to have attended its discussion. Such as have occurred to me, whether of my own or the printer's, I have corrected in this edition. Many, however, (and more probably than I am aware of) will, no doubt, still remain. I expect also, that inaccuracies will attend the additions that I have made. May I hope they are such only, as may be entitled to candour? Or rather, must I yield to my fortune; and as one who has made so free with public errors, lay no claim to the public indulgence?

As to the pains which I have taken, or my motives in writing, it may be prudent to be silent. For how often does toil and labour produce nothing! And what is said of love, is more true of self-love, it is blind.

But as some gentlemen, to whose judgment I have been accustomed to pay deference, were pleased to express a favourable opinion of my Inquiry, and a wish to see a more correct edition of it, I am constrained to explain the reasons of my delay, connected with reflections, which, on other accounts, I wish to make.

The first edition, then, was only circulated among a few friends. It came forth under great disadvantages. I had no expectation of a second edition being called for; and began to amuse myself with lighter studies, unconnected with the present subject.

Since the idea of republication was suggested, a variety of considerations caused delay. The principal I will lay before the reader.

The first is political. The reader will please to keep in mind, that the present work professes only to be an Inquiry: and inquiry is at once both active and slow; active in discovering mistakes, slow in ascertaining truth. In a course of reading and reflection new convictions arise, and new opinions are formed. Nor can they, if the character of an inquirer be uniformly preserved, be taken up lightly, or digested at random.

The alterations and additions in the present form of the work are considerable: and, if my authorities are not taken at second hand (which, with two or three exceptions, I can uprightly say is not the case), the result of some reading and reflection. The corrections and additions in the two first divisions will be found to proceed from some inquiry. But I allude more particularly to the historical parts of the third division, and the last chapter of the same division, which is entirely new. In these will be found some additional researches into british antiquity, and the principles and forms of modern governments.

To those, also, who give me credit for my attachment

tachment to civil and religious liberty, it may appear a degree of self-denial in me never once to have alluded in the former edition to what was then transacting in France. The truth is, when I was engaged in publishing my Inquiry, the affairs of that country were, as yet, suspended on the edge of contingencies. Without looking abroad, I had sufficient materials to fix my attention at home. I seldom conversed with persons engaged in French politics. I lived in the retirement of a village, "conversing mostly with books and trees."

But as the affairs of France began to draw to a crisis, it was impossible to help giving a glance at them. They gave rise to debates in England immediately connected with the subject of this Inquiry, on natural rights, civil liberty, the genius of the british government, the character of our clergy and ecclesiastical establishment. Among the writers who distinguished themselves on this occasion was Mr. Burke. From the character which I had learned to entertain of this gentleman, I expected to receive information, tending to correct some of my own mistakes. But I soon found Mr. Burke was capable of throwing no light on these subjects; and that, notwithstanding the confidence with which he wrote, he was on some subjects extremely ill-informed, or guilty of misrepresentation; and that, in some cases, he was even confuted by writers on his own side of the question. I therefore proposed making copious remarks on this writer, at least with those

parts of his "Reflections" connected with the subject of my book; and of introducing them into the body of the work. But recollecting again, that I had attempted to answer similar objections of writers more judicious and better informed than Mr. Burke, and that as he had been sufficiently confuted on the subject of french politics by Mr. Paine, and since by Mr. Christie and Mr. Mackintosh, he had also been ably replied to on those matters which took my attention, by Dr. Priestley and others; I thought on the one hand, I was laying out for myself unnecessary work, and on the other, might appear to be intruding into a province already occupied. I therefore dropped my original design, after having been detained in forming it. All I have done in this way has been to make two or three cursory remarks on Mr. Burke, a writer whose flashy, rather than correct style, has gained him some admirers; but whose principles are approved by few, who have no interest in being deceived.

It was, also, my intention to have closed the last chapter of the third part of my work, with a short delineation of the characters of some of those english writers, ancient and modern, who have made politics their principal study; wishing to direct the attention of some of our english youth to peruse them, or at least to form a just estimate of their writings. This plan, however, was too extensive for the place that I had assigned it; I therefore only observe, that in estimating the value of political writings with re-
spect

spect to ourselves, we should not examine them by the character of the times in which the authors lived, but by the theories and practices of more enlightened periods. My references, therefore, to political writers must frequently be considered as illustrations or confirmations of my own remarks, not as expressive of my approbation of whole systems. My applause, too, (for I believe it is not my custom to under-rate any writer) must be estimated by the same rule. As to my own judgment, it is formed by a standard (as nearly as I can ascertain it) of political merit. Religious opinion makes no part of the estimate. Why should I stop to examine a politician's theological creed? Does a writer establish one principle, the tendency of which is to bless man? I will call him friend.

As the worth of political writers is to be rated by the present more improved state of political science, every effort for improvement is to be valued by the present wants of civil society. Different talents conspired to bring about an important reformation. And as candour should be indulged towards former writers, patience and moderation are required even in pursuit of a just claim. Political reformers should remember, "no effort is lost." The bold republican pioneer, the more moderate reformer of abuses, the advocate for a qualified establishment, the protesting nonconformist, and the peaceful quaker, may each, in their respective stations, humanize the order of society. And while some bolder spirits are formed
to

to abash venal statesmen, and to startle unfeeling OPPRESSORS, others may think themselves not uselessly employed in aiming to give political knowledge to the outcasts of political society, THE COMMON PEOPLE^a. Where shall I rank the statesman, who, to prevent a revolution, encourages a generous reformation? Among the band of patriots. Where the man, who opposes public exertions, who obstructs national reformation? Among the FOUNDERS of a REVOLUTION. But shall any portion of that fame, that sometimes attends a generous and daring spirit, be the portion of the aristocratic revolutionist? Contempt and insignificance will be his lot; and enlightened posterity will curse his name. Such a man, WHOSOEVER HE BE, should be taught, that every attempt to oppose reforms will but hasten them. He should be taught, that though ignorance and meanness will bear contempt, when a NATION is ENLIGHTENED, it will not be INSULTED.—These speculations caused delay.

The second reason of my delay is of a theological nature. Some friends have expressed a concern, that in a question, which, they think, ought to have been confined to liberty, I have introduced religious controversy; conceiving, if I had directed my attention to a single view of the question, or at least, if I had not wandered into the province of theology, my Inquiry might probably have been better received. I

^a See p. 356, of this Inquiry. I think it not improbable, I shall attempt myself shortly a course of Addresses to the POOR PEOPLE of England.

give these gentlemen credit for their generous intentions; but beg leave to observe, that those writers who have attended to the political side of the question only, can have presented but a partial view of the subject. They cannot have exhibited the whole grievance of subscription. And how could I have examined the question with respect to christianity, without inquiring into the christian doctrines? How undertake to expose error, without endeavouring to exhibit the truth? I recollected, too, that the christian who asserts his liberty has yet done but half his duty; the christian rule being, not merely to examine all things, but to hold fast that which is good. Besides (why should I conceal it?) I had a nobler end in view than merely to oppose human authority in matters of religion. Friendship and esteem had no small share in my regards: and being influenced by serious and strong convictions myself, I wished to call the attention of those who I had reason to believe had, on other accounts, a prejudice in my favour, to inquiries, which appeared to me to concern christianity. Bad men may, I own, shelter themselves under the purest forms of religion; they may keep aloof from forms, and be bad men still; they may even pass through all forms, and be knaves all the while. Can the *Æthiopian* change his skin, or the leopard his spots? This is matter of serious concern to every upright heart: it, however, affects not a general truth; that the purest notions of the Deity and of christianity, must draw after them better consequences

quences in favour of morality, than such as are partial or corrupt: for though individuals may receive no benefit from them, thousands, as they advance in knowledge, will improve in goodness. But as to any expectations, that the present work will be popular, I was never vain enough to indulge them. Works far superior to this have gained but little on the public ear. And indeed, from a conviction, that the public ear has been damaged by the candidates for popular applause, I have not even studied its humour. If I had, I should have attempted a softer strain. I have placed myself, as it were, in the presence of the great Being, and the disciples of truth; with whom truth only is harmony. I shall be rewarded, if my attempt is in any measure approved by a few thinking men; and if it convey any degree of information to ingenuous youth.

Here opened a large field of inquiry. On taking a view of this part of my subject, it was natural to revert to the sacred scriptures; to compare with them, (as far as my limits and abilities allowed) the 39 articles; to consider how far these articles were connected with the received translation of the scriptures; and as these inquiries led me, in the former edition, to observe a real connection, and to join issue with those who acknowledged the expediency of an improved translation; so also, as a new translation^b has been since entered on by two learned

^b Dr. Geddes's new Translation of the holy bible, and Mr Wakefield's Translation of the new testament.

men, and in part completed, to make some additional remarks. These also caused delay. Nor shall I conceive myself wandering out of my province in making the following observations.

It is too late, then, in the day to be alarmed at shaking the public confidence. It should be shaken, if it has been misled. The hebrew and greek verity have both been sufficiently confuted*: and truth has gained by it. As to translations, if our ancestors had experienced such illiberal fears as now agitate many, it would have fared but ill with the present times. Miles Coverdale, who, in connection with Tyndal, gave the first complete english version of the bible, was so far from thinking it perfect, that he puts up a prayer, that God would move the hearts of others to engage in the same province: and with respect to different translations he remarks, that there cometh more knowledge and understanding of the scriptures from different translations, than from all the glosses of sophistical doctors^c. The judgment, also, of his successors may be collected, by considering, that in a less time than has elapsed since the last translation under king James, no less than four english^d versions were put forth (three of which came

* Dr. Kennicott's Introduction to the printed Hebrew Text of the old testament, and the learned Mr. Porson's Letters to Archdeacon Travis, p. 45. 46. 58. 59. 60. 61. 226.

^c See his Prologue to the Reader.

^d That called Cranmer's great bible, (which was a more improved copy of Tyndal's and Coverdale's) Beza's, or the Geneva edition, published in Mary's reign,

came out under the sanction of public authority.) In the prefaces of the two last is a liberality of confession, to which modern christians would do well to attend.

At the same time, the alarm should not be greater than the necessity of the case requires. For notwithstanding the imperfections of the present translation, it answers, and indeed more than answers, every expectation that could have been formed of it from the times in which it was made: and those who have even seen the expediency of undertaking a new translation admit, that the present hath in the main fidelity, simplicity, and ease^e. But, Are not evils and benefits to be ascertained by the realities of possession, and possibilities of improvement? When there was no english version, the want of it was an evil. But if forgeries are palmed on us as parts of sacred writ, or if the translation stand in need of amendment, the translation itself becomes an evil, till those forgeries are removed, and till those amendments are made.

As to the style of the common version of the new testament, it is not without justice, that a modern judicious critic remarks, there is frequently in it great want of perspicuity; ambiguities arising from not connecting the relatives with their antecedents; from an indeterminate use of prepositions; that some pas-

reign by english refugees at Geneva; Parker's, or the bishops bible, in Elizabeth's; and the last (now in use) published in James's reign, in 1611.

^e Dr. Geddes's Prospectus of a new Translation of the holy bible, and Mr. Wakefield's Preface to his Translation of the new testament.

pages

sages are ungrammatical; that some expressions are mean, obsolete, vulgar, and harsh^f. Of all these imperfections of style, Dr. Symonds has given accurate examples. It may also be very safely allowed, that similar complaints may be brought against the received translation of the old testament. And subsequent translators must, indeed, have been idly employed, if, possessed of purer originals, a more accurate acquaintance with the oriental languages, more complete rules of translation, and in the present more improved state of the english language, they must, I say, have been idly employed, if with all these advantages, they do not present us with a translation more agreeable to the spirit of the sacred text, and to the idiom of the english language.

But the imperfections of king James's translation are trifling, considered merely as ambiguous phrases, grammatical inaccuracies, inelegant or obsolete diction. Their importance consists in their being misinterpretations (though undesignedly) of many interesting passages; in their retaining interpolations (though not acknowledged such at the time). Some passages, as now translated, not only deviate from the true meaning of the original, but are the direct contrary to it^g; others give countenance to the claims of high church authority^h; terms expressive

^f Observations upon the expediency of Revising the present english version of the four gospels. By John Symonds, LL.D.

^g Ex. grat. John ii. 4.

^h One of the rules of translation laid down by king James, was, You shall retain the old ecclesiastical words.

in the original of jewish festivals, express in our translation the superstitions of christians¹. Others, descriptive of conditional privileges, or of the characters of persons disposed, or called to embrace christianity, are so interpreted, as to convey a partial character of the FATHER of MANKIND^k. And, finally, expressions are found inconsistent with the title and attributes of the ONE GOD. In short, the misrepresentations regard the theology and philosophy of revelation, the reason and benevolence of man; and, trifling as they may appear, draw after them serious consequences.

Following the course of my inquiry, I asserted, that the compilers of our articles were doctrinal calvinists, and my proofs will, I believe, be found unexceptionable. I intended in this edition to have produced examples (tending to establish the same point), from the arguments and notes in Cranmer's great bible. But this is sufficiently known to those, who have turned their attention to these subjects. I therefore wave my design. As to king James's translation, it was fashioned more after the Geneva edition than any other^l: and, indeed, an ordinary reader, acquainted with the system of Calvin, will be capable of forming a judgment of its character by a bare perusal of the translation.

On Dr. Geddes's new translation of the old testament (a small part of which only is yet published,)

¹ Acts xii. 4. *πασχα*, Easter.

^k *Σοφισμῶν, κατωμένων, ἐκλεκτῶν, δικαιοθεσίᾳ, &c.* ^l Geddes's prospectus, &c.

indebted to Dr. Farmer for my use of some libraries, and to the learned president of new college, Hackney, Dr. Rees, and another respectable dissenting minister, Mr. Lewis, for my use of Dr. Williams's library.

When I speak, therefore, of the imperfections of our universities, I wish it to be known, that as I have received no personal injuries, I write from no personal resentment. Several years before I went to college, I felt a propensity to recede from educational prepossessions; and the same tenderness I experienced in early life on this subject, from my learned and respectable patron^u, I received from the society to which his friendship wished to attach me. I have witnessed the sollicitations of friendship, but was never insulted with persecution. Let this tribute of just respect be paid. Let me, too, acknowledge many excellent provisions in these ancient institutions. But let me not reverence the mistakes of former ages. My respect is addressed to MAN, my homage to TRUTH.

To persons possessed of my views, it is evident, that our english universities must appear in a HIGH DEGREE aristocratical. They are so in respect to the nation at large; they are so in respect to their own members. And no material reformation, I fear, may be expected in these respects, till a reformation takes place

^u Dr. Askew, well known for his acquaintance with greek literature, and his valuable collection of books and greek MSS. His son, Adam Askew, Esq; was my generous friend at college. And Dr. Farmer and Dr. Bennet, the bishop of Cork, (then tutor) treated me with the utmost liberality.

in government. In many instances, Are not these institutions so formed, as to partake of the genius of a partial government? And so regulated, as to follow the wishes of a present administration^x? A resolution

^x These thoughts were suggested by papers now lying before me relative to some recent transactions at the two universities: of which, as they will illustrate my remarks, I will lay the substance before the reader.

It should first be observed, that no grace (corresponding to a bill in the house of commons) can be proposed to the BODY of the university, till it has passed through the CAPUT, consisting of the vice-chancellor, a doctor of divinity, a doctor of laws, a doctor of physic, a regent and non-regent, master of arts: one dissenting voice in the caput sets aside the grace. The aristocratical aspect, and the arbitrary decisions of the caput, have long been complained of by many liberal minded men. At Oxford, the same power is lodged in a similar body, though of a different name.

In the last November term, several gentlemen of the university of Cambridge were desirous of getting a measure passed. A similar one to which had been rejected by the caput the winter before. It was therefore thought, that, if proposed again, it would be rejected again. Instead, therefore, of proposing a grace to the caput, they procured the signatures of a very great MAJORITY of the senate, and on their authority intended to carry their measures into effect. If the vice-chancellor had not interfered, the will of the MAJORITY would have carried this measure against the will of the caput. I feel respect for this majority: who seemed to have had a true sense of dignity, a spirit that revolted against a narrow policy; where the voice of the few (perhaps of one man) can over-rule the voice of the many, perhaps of the whole university beside.

Mr. Friend of Jesus college, aware that the power of the caput was too great, and at the same time desirous of having every measure pursued according to order, had the following notice and subsequent grace distributed. Both of which reflect honour on the liberality and judgment of my respected friend, who was kind enough to convey them to me.

N O T I C E.

In the course of the ensuing term a grace will be presented in the senate to regulate in the following manner the power of the caput.

Every grace that is proposed to the caput shall be read to the non-regents and regents in their respective houses: if it is not admitted by the caput, the person or persons refusing their consent shall write down their reasons for it, which shall be read together with the grace in the houses; and the grace with the reasons shall be lodged with the register to the next term.

volution in the principle, or a correction, at least, of the spirit of modern politics, would infallibly produce a revolution in the principle of education, and give

On the first congregation in the next term the vice-chancellor shall read the grace and reasons for its non-admission in the preceding term to the caput; and if no person now refuses his consent to the admission of the grace, it shall be submitted to the votes of the senate.

If any person refuses his consent to the admission of the grace, he shall as before write down his reasons, which, together with the grace, shall be read in both houses, and then be lodged with the register till the following term.

On the first congregation of that term the vice-chancellor shall read the grace with the subjoined reasons for its non-admission in the preceding terms, which shall then be read in the houses, and the grace shall be submitted to their decision.

By these means an end, it is presumed, will be put to the complaint, that the caprice of one man may thwart the wishes of the whole university; and at the same time sufficient care is taken that no grace, which a member of the caput may think improper, should pass without due investigation.

November 20, 1791.

THE GRACE.

Cum plurimum detrimenti rebus humanis solita sint adferre, vel multorum nimia celeritas vel unius pertinacius arbitrium, quo melius in nostra republica his malis occurratur.

Placeat vobis, ut gratia, quæ per binos terminos a capite non admissa in termino proxime sequenti iterum proposita fuerit, ad senatum deferatur, et ejus autoritate vim statuti habeat.

The case at Oxford was as follows: At a time when more than 500 petitions were addressed to parliament for the abolition of the slave trade, a deputation from some members of convocation, accompanied by two of their own body, waited on the heads of houses, requesting them to suffer a similar petition to be moved in convocation. But the heads exerted **THEIR PREROGATIVE**; and by preventing the petition from passing through their own body, prevented its coming before the **CONVOCAATION**.

I have said above, these institutions are so regulated as to answer the wishes of a present administration. The heads are usually men who may reasonably have their eye on preferments; and preferments are commonly of the same nature as certain *good things* delivered from the treasury: rewards for services done. Ye ancient seats of literature, bear testimony against me if I utter a falsehood. Why was—Why was—Why was—I forbear. But tell me, How was it, that when on

give birth to NATIONAL INSTITUTIONS. Why should we deceive ourselves? Why mislead mankind? Such institutions, such institutions, I say, are unknown in England. ENLIGHTENED England will have PUBLIC spirit: and losing sight of PRIVATE regards, will form a plan for NATIONAL education.

Can I then help passing my attention to an institution, that carries an appearance more liberal and unconfined? Can I forbear putting up an ardent prayer for its prosperity? That it may comport with its own pretensions, and even exceed its own expectations—that theology (which has so damaged our english universities) may never draw around this institution its magic circle, circumscribing genius, literature, and the WORD of GOD.—That from former institutions it may learn what is wrong, and avoid it; admire what is excellent, and imitate it; penetrate into the true secret of education—increase the stock of human knowledge, enlarge the sphere of human happiness: that men of the brightest talents may preside in it; and that liberty, truth, philosophy, and all the useful virtues, may attend it.—That, unrestrained by forms, and unsolemnized by theological creeds, it may be the asylum of GENERAL

the first introduction of this business to parliament, though the university of Oxford did not petition, they at least expressed their concurrence with Cambridge, through their members, How was it, I say, ye opposed the measure proposed by this respectable deputation? A certain great person, influenced by a certain noble lord, the president of a certain board, and a certain young gentleman, apparently of rising talents, educated and connected in that place, inclined the other way. See the morning chronicle for Thursday, April 12, 1792.

LIBERTY, to which HUMAN BEINGS may be willing to approach, and in which they may be happy to reside? If such be the institution at Hackney, my prayer for it is, *Esto perpetua!*

This institution ever had my most respectful wishes, being convinced, as I still am, that the dispositions of the founders and friends to it were generous; and that the institution itself, as unembarrassed by subscription, and comprehensive of churchmen and dissenters, had in view a liberal object. So far it was certainly a great improvement, with respect to its policy, on former institutions. But so far as any rules operate, which eventually, though not intentionally and professedly, might exclude jews, deists, or quakers; so far even this institution has not a NATIONAL complexion^v.

Friends to liberty, under whatever forms ye worship the GOD of the UNIVERSE, or if negligent of forms, ye are in pursuit only of truth; for you I write: towards you I feel the sympathy, that unites man to man; the impassioned respect, unabated by religious distinctions. Should such condescend to

^v The regulation I allude to relates to family worship; at which the students are all expected to attend. This rule will be supposed, by most persons, necessary for the preservation of order as well as of devotion, and with that view are preserved in our universities and academies. Such provisions for voluntary devotion might be useful: but mere order and discipline seem to require another measure. The custom of keeping a bill, and of expecting the appearance of students at a stated time, would be a sufficient provision for order. This rule, however, would be dispensed with at Hackney, as I have been since informed by Dr. Priestley, in favour of a deist, a jew, or a quaker, or any one, whose parents should wish it. A NATIONAL scheme would provide for all.

look into this work, ye will, perhaps, meet with sentiments, venerated by me, which ye may disapprove. But if, dispersed among them, ye find principles, which the loud voice of freedom, now sounding through Europe, pronounces sacred, ye will let them pass with energy to your hearts. May ye employ the most active exertions in the service of MAN! Human efforts will, at best, appear feeble; but NO EFFORT IS LOST*.

P. S. It having been hinted to me, that what I have said p. 45, relative to the dissenters is excessive; I would just hint, that by the term dissenters, I mean no one description of men. But when I recollect, that some of our most eminent philosophers were certainly not friendly to the principles of the hierarchy, though they did not separate from it; that of late years some of the greatest efforts of human genius have been produced by men, either educated dissenters, or who have separated from the church, or who have secretly disapproved it, I see no reason to correct my language. One who, though a student, was always prone to indulge a propensity for speculation, rather than submit to academical precision, should not be forward to make invidious comparisons. Happy for each party if they learn something from each other. Truth is of no party; and ignorance, to whatever party allied, is contemptible.

* A favourite maxim of the late Dr. Jebb's.

E R R A T A.

- Page 35, line 3, *for* employment, *read* employments.
 51, — 9, *for* incontestible, *read*, incontestable.
 59, — 12, *for* as well as, *read* but also.
 72, — 5, *from* bottom, *for* them, *read* it.
 78, — 2, *for* Arminians, *read* Armenians.
 108, — 29, *for* it, *read* they.
 123, — 13, *for* republic of Italy, *read* Roman republic.
 164, — 1, *for* Philander, *read* Aspasio.
 179, — 17, *after* church, *insert* ".
 180, — 4, *after* flourish, *delete* ".
 186, — 1, *for* joyal, *read* joyful.
 196, — 14, *for* free, *read* freed.
 215, — 3, *from* bottom, *for* Runningmede, *read* Runingmede.
 216, — 13, *for* ditto, *read* ditto.
 217, — 3, *from* bottom, *for* signed, *read* assigned.
 229, — 18, *after* between, *insert* the.
 265, — 6, *for* government, *read* governments.
 — 12, *for* they, *read* princes.
 296, — 15, *after* Uranus, and Chronus, *insert* a comma.
 407, — 8, *from* bottom, *for* σω, *read* ζω.

N O T E S.

- 26, — 7, *pref. for* Eng. *read* Enq.
 30, — 4, *for* Justyn, *read* Justin.
 112, — 3, *for* Παντας, *read* Παντας.
 115, — 4, *for* μελλονφτας, *read* μελλοντας.
 147, — 1, *for* Steylin, *read* Heylin.
 171, — 3, *for* firma, *read* forma.
 193, — 4, *for* approbationæ, *read* approbatione.
 — 7, *for* villains, *read* villeins.
 310, — 4, *for* but, *read* out.

The note in p. 153, belongs to 154, after delays.

Other Errata the reader is desired to correct himself; and, to recollect how peculiarly I have been circumstanced from what I hinted in the preface.

it falls not in my way to make many remarks. The mosaic writings have, indeed, but a remote connection with my subject. I have, however, read Dr. Geddes's translation: though, I confess, amidst the various subjects which engaged me, not with that attention to which it is entitled; yet so as to ascertain what I apprehend to be its leading character, and how far it corresponds with some interpretations and doctrines given in this work. This learned man professes not to follow the order of system, and is of sentiments different from my own: Yet do the interpretations alluded to, either literally or virtually, correspond with mine; and as Dr. Geddes professes to trace out the meaning of language, and not to follow the expectations of a system, the interpretations alluded to, I consider as a proof of his fidelity, and as a testimony to my own. As to the nature of Dr. Geddes's translation as a liberal and free version, or how far a regard to common apprehensions, or the rules of translation may or may not justify his wide departure from the received version, it is not my province to inquire. Dr. Geddes has followed that course, which, in his judgment, the genius of different languages requires. And if industry, learning, ingenuity, and liberality are entitled to praise, Dr. Geddes, I apprehend, has not laboured in vain. But what falls particularly under my consideration, as having to do more immediately with the doctrines and precepts of christianity, is Mr. Wakefield's translation of the new testament.

Prior to this work this ingenious writer had publish-

ed a syllabus of such texts of the new testament, as he apprehended to be wrongly translated (a performance which I had not read, though I had various others of his publications, on the first edition of my Inquiry): I have however since examined it with some attention, and the pleasure soon grew on me, when I observed, that (with a few exceptions, and those not affecting any particular doctrines) Mr. Wakefield's translation did not only harmonize in general with my views of the christian doctrines, but that particular phrases in it had a correspondence as to meaning, though expressed frequently with greater precision. Mr. Wakefield also professes not to regard either the expectations of the orthodox or the socinian, but to keep close to the original, and has given a version as LITERAL, and as VERNACULAR as possible. And as Mr. Wakefield will be allowed by every judge to be an incomparable critic in the style of the new testament, and in the genius of the greek language, I offer this as an argument to the english reader, that I had not been indulging my own fancy, or trifling with his credulity. To this work I frequently acknowledge myself indebted; though I do not hold it necessary to say I accede to all the interpretations; nor indeed do I always deviate from the common version, where, perhaps, it will be found wrong: my various inquiries prevented such accuracy; nor was it, indeed, necessary to my design.

The translation itself did not come to my hands till a few weeks before my own work was sent to the bookseller. As, however, it is now before the public,
the

the learned will form their own judgment. And to modest criticism Mr. W. would, no doubt, respectfully attend. If, however, I venture to give an opinion, that Mr. Wakefield's version has great excellencies, whether it be considered in reference to the doctrines of christianity, a critical knowledge of the greek language, or the simplicity and ease of translation, I am not fearful of having passed an erroneous judgment. In estimating its merit, candour will take into the account the character of a person unconnected, and unassisted; feeling sometimes inconveniencies arising from situations, not always favourable to access to large libraries; exposed to censures, incident to men, pursuing their researches in the bold spirit of inquiry, regardless of forms, unyielding to established opinion. Amidst all these obstacles, if I am not mistaken (and if I am, it is not friendship that misleads me), Mr. Wakefield's translation has some advantages peculiar to itself. Many of the bolder deviations in it from the received version, will, I persuade myself, be found not only ingenious, but just. As a translation from a foreign language, his interpretations will be found faithful and accurate; and to an english reader (though accustomed to the present version) natural and easy ^m.

On

^m For the sake of the english reader, and those who confine themselves to the common edition of the greek testament, I would just hint, that some of Mr. Wakefield's corrections of our version will not be found always to accord with the greek testament in common use: but do with such versions and MSS. that he

On considering the credit which the 39 articles, and the present translation of the scriptures have acquired, I refer it to the "king's most special command." Mr. Wakefield remarks, that a complete translation of the sacred scriptures, must be the joint production of many learned and judicious critics. Allowing this, yet I cannot so easily allow, "that an improved translation should be executed and admitted by public authority." Miles Coverdale, preparing the way for some handsome compliments to Edward VI. remarks, that the blind bishop of Rome, not understanding what he did, gave unto your grace's most noble progenitor the title of defender of the faith, only because he suffered the bishops to burn God's word. Notwithstanding Mr. Wakefield's reflection, his sentiments on the office of the civil magistrate, and on the tendency of religious establishments, are, I am persuaded, the same as my own: nor do I here mean to drop any reflections on the present ruling powers. It is, however, my

thought of the best authority; in many places he follows MSS. which, in general, are not of such high authority, but which in those particular instances appeared to carry conviction. Mr. Wakefield is sometimes furnished with happy amendments from conjectural criticism, the handling of which requires great prudence, but to which all the writings of antiquity must sometimes submit. Some of Mr. Wakefield's interpretations in his syllabus are corrected in his translation.

In retaining the two first chapters of Matthew, Mr. Wakefield, I suppose, means to leave his reader in possession of his own sentiments as to the authenticity or spuriousness of them. On this subject there is little doubt in my mind. And to speak freely, the copy of Matthew's gospel, as we now have it, has been liable to objections, which I, at least, am not able to remove. See a very sensible Letter by bp. Hurd, wherein the importance of the prophecies of the New Testament, and the nature of the grand Apostasy predicted in them, are particularly and impartially considered. By E. Evanson, M. A.

opinion,

opinion, that if at the reformation the civil magistrate had, as the protector of the rights of citizens, stopped the encroachment of the papal power, and left the scriptures and christians to their own energy and exertions, divine revelation would have been better understood than it is now. Truth, like the divine glory, shines and spreads by its own brightness. *Εστὶ γὰρ ἡ ἀληθεῖα θείας τῆς φύσεως μίμησις.* Error requires a foreign influence; and helped forward by the ruling powers, dazzles by its glare, misleads a gazing world, and perpetuates itself for ages. "Christian churches were never purer either in doctrine or morals, than when every bishop almost had a translation of his own".

If, however, the interference of public authority is not desirable, the exertions of individuals become more necessary, and why a translation, imperfect as ours, should be received into christian churches under the sanction of public authority, and why improved ones, such as Dr. Geddes's and Mr. Wakefield's indisputably are, though unsupported by public sanction, should be excluded from such regard, I cannot comprehend°. I must be here supposed to be speaking of churches, that disown the magistrates having any right to interfere in the affairs of religion, from whom some other reasons of preference would, I hope, be assigned, than the interference of public authority. If I acted for a christian assembly, and two translations were proposed for public service of equal authority,

° Miles Coverdale's Prologue.

° I am happy to know one society, that hath adopted Mr. W.'s.

my preference would be given to that, in which magistrates and priests had never interposed with their, *hoc volo, sic statuo*.

In the fourth part of this inquiry, I have also inserted several additions, and particularly remarks on part of bishop Horsley's tracts, made, I own, cursorily, yet, I flatter myself, so as to shew that writers who make the highest pretensions to learning, and who treat their opponents with the greatest insolence, are not always possessed of the clearest information, nor have the fairest claim to the public confidence. These inquiries also caused delay.

A third reason of delay may be said to relate to the discipline of churches.

I have not for some years paid a uniform regard to the forms of public worship. For near a twelvemonth before I left college, I absented myself from all christian assemblies. I disapproved of the established religion, because it was established: I absented myself from dissenting societies, as being not possessed of those convictions, which should precede a decided preference. Since my connection with dissenting churches, I have rarely taken much of a lead in them: I have even avoided it: happy to engage rather in the humbler offices, as more suited to my talents, and less likely to take me from the posture of inquiry, in which I wished to be found. And I have rarely, when I could procure the scantiest provision any other way, and many times when I have been in want, and under great difficulties, even allowed myself to receive those acknowledgments,

ments, to which every upright minister is entitled. (I who have not the smallest reason to boast, speak not in a way of glory.) I mention this to shew, that with an ardour bordering on enthusiasm, and sometimes deserving blame, I have sought liberty and truth: I have made every thing give way to these: at present I am rather *formarum spectator*, than a stickler for any forms.

For these four or five last years I have not regularly attended any place of public worship. No part of my life I survey with greater satisfaction. I acted from the purest motives. I feel no guilt: I venerate and love the Great Being, and acted in his fear. Engaged in inquiries, that had much to do with sects and with sentiments, it became my duty to be influenced by no bias whatever. I foresaw, (I am not unsusceptible of friendship) that an independent mind will have its moments of weakness; that he who revolts at authority, may yield to affection. Retirement seemed my proper post, and in solitude I enjoyed devotion, and found comfort. As an apostle, who became the servant of all, if by any means he might gain some; so I frequently found it necessary to separate from all, that I might be controlled by none. I say I found it necessary. It was neither from inclination nor pride.

And, independent of my present sentiments on the object of divine worship, I have lately proceeded (I speak without vanity) on principles the

most generous. Since the revolution in France, and the appearance of certain publications in England (particularly the very ingenious Mr. Paine's), the dissenters being supposed to approve them, fell under the imputation of disloyalty. Many individuals, therefore, as well as a large body of them*, thought proper to guard against the imputation by professing their satisfaction with our present form of government. I also expressed myself in terms of great approbation in the former edition. But I must follow the order of inquiry, and keep no reserves. What are called the fundamental maxims of english policy, I still admire. In the course of my inquiry, I have proceeded with caution, and on the subject of government, give my final judgment on deliberate conviction; see p. 261, &c.; and my preference, I own, is given to that form of government, which provides best for power, wisdom, virtue, and strength^p. That there are individuals, of the greatest respectability too, both among the dissenters and of the establishment, who may with me approve a republican as the most complete form of government, I cannot entertain a doubt; and how far individuals, or even a large party may be justified in speaking for the dissenters, or the establishment at large, it is not my place to inquire^q. Certainly I cannot

* The whole of the West-Riding of Yorkshire, if I recollect right.

^p See Algernon Sidney's discourses on government.

^q See appendix. As the dissenters have certainly no reason to be prejudiced in favour of the present government, after their cruel proscriptions and the fires at Birmingham.

cannot move with any party, that discard my favourite sentiments. Nor can they be responsible for my political creed. It would be injustice to shorten my periods through partial attachments ; to entail an odium on any men, under which they choose not to lie ; or appear to venerate forms, which, to say the least, appear to me discretionary. My esteem for dissenters is unsophisticated, proceeding not merely from obligations or partial attachments, but from a conviction of their weight in the balance of public liberty, of their importance to the interests of christianity ; and while an establishment exists, can I ever blush at being thought a dissenter ? May an enlightened legislature soon find it their interest to put dissenters in possession of their just privileges ! But my political prayer would favour of impiety, if it did not embrace MAN.

In connection with these views, it was my intention to have added in my preface a few reflections on the practice of christian churches, and a learned and interesting work, entitled, the History of baptism. These remarks I have thrown into a postscript. And these also produced delay.

Do I mean then to avow a sentiment unfavourable to religious society ? Do I mean to assert that public worship is inconsistent with the genius of

Birmingham ; (See Dr. Priestley's spirited and excellent Address on the late riots there, and what Mr. Lindsey says, in a candid and judicious work, entitled, Conversations on christian idolatry, dial. 1.) so I have reason to think the prejudice in favour of a certain EXCELLENT constitution, will soon begin to subside.

christianity? This I have not asserted. Acknowledge I do, that forms may exist without the spirit of devotion; that unhallowed passions may mix with forms; that the approbation and the reward of men, rather than of Him, who seeth in secret, may be sought under those forms: constructed they may be, so as to weary the attention of the worshippers; to dictate too freely to the BEING, who changes not, who loves his creatures, and to whom from every part of his empire should ascend the prayer, Thy will be done: by an art called "preaching in prayer," ministers may address to the people what ought to be offered only to God. Acknowledge too I do, that the essence of christian worship consists not in the exteriors of temple service, but in devout affections; that the heart of man is the temple of the living God. All this I acknowledge. Acknowledge too I must, that a love of gain, or a degree of vanity, seeking distinctions, and amidst oracular solemnities, expecting deference and homage; or a constitutional or artificial enthusiasm, unallied to the generous philanthropic passion; or even hypocrisy, concealing amid the credulity of pietists selfishness, crimes which the world abhors: I say, I acknowledge, that every thing that is little, and base, will frequently characterize the priest or the preacher. I will also acknowledge, societies called christian, may be worldly sanctuaries of the worst description; that the discipline of them may be partial, cruel, unjust: but he, who infers I draw
a general

a general conclusion against religious society, would do me injustice. He too, who because I draw no general conclusion against religious society, infers, that I believe social worship to be absolutely obligatory, or that the TEACHER has laid down any thing, making it of divine authority under the new covenant, would do me injustice. He would be cruel who, from any thing I have dropped, should infer, that I mean to deal in general censures: that I feel private disgusts: that I indulge unkind emotions on contemplating mere forms. How can I? I who believe the supreme Being disapproves only pride and hypocrisy; but loves virtue, his own image, under all forms? That even in mere political institutions are found sincere worshippers, judicious instructors, truths mixed with errors, virtues with imperfections?

A writer, whom I hold in esteem, has lately contended, that social worship is incompatible with the religion of Jesus *. The writer admits, that prayer, proceeding from the occasion, is proper; improper, at stated times, and by stated forms; that in society for exhortation, reading, and expounding the scriptures, there is propriety, though not for social worship. Accede I do to, and much admire many of the remarks of this writer, admire I do his own plan of worship †. In saying his argument appears to me inconclusive against social worship, I deliver only my opinion. Excellent consequences, may, I own, follow, if this treatise lead men, dis-

* Mr. Wakefield's Enquiry into the propriety and expediency of social worship.

† Ibid. 2d edit.

approving social worship, to act from a fixed principle; and if it lead others, dissatisfied only with received forms, to practise a worship, in their judgment, more rational and evangelical. As to myself, I only drop hints falling in the way of inquiry. On what relates to churches I decide nothing. How should I, who believe that the Teacher sent from God decides nothing*?

Speculations of this threefold description fell insensibly before me. I mention them among the reasons of my delay. The process pursued by me in forming my present plan, I will also lay before the reader. I make no apology. But my obligations should be acknowledged.

The first sketch of a similar work came in the course of a little system of speculative theology, (a term I am not very fond of, favouring, as it does, of aristocracy) formed several years ago in college, in 1777. Being on a visit to an ingenious friend among the dissenters, I enlarged my plan; which some friends approving, wished me to publish. But being not satisfied with it, I on my return to college burnt it.

In consequence of a hint dropped to a judicious friend in the University of Cambridge, in the year

* These reflections, (one or two small insertions excepted,) and the 2d appendix, I wrote prior to a late controversy. As the subject is important, and has called forth respectable talents, I will put down the pamphlets, in the order, in which they were published. Mr. W.'s Enquiry. A Sermon in reply, by Dr. Disney. A Defence of social worship, by Mr. Wilson. Cursory Remarks on Mr. W.'s Enquiry, by Eusebia. Arguments against and for the Sabbatical Observance of Sunday, by Mr. Evanson. Sec. edit. of Mr. W.'s Eng. 2d edit. of Eusebia's Remarks. Dr. Priestley's Letters to a young man on Mr. W.'s Essay, and Mr. F.'s objections. Strictures on Dr. P.'s Letters, by Mr. Wakefield.

1788, I was prevailed on to resume the subject; and, through the liberality of this gentleman, and other members of the university of Cambridge, and several gentlemen among the dissenters, I was enabled to engage in it. And as two respectable and learned members of the university^{*} had been making fresh exertions to procure a removal of subscription at the time of taking degrees, it seemed no unfavourable opportunity.

The rough draught was examined, and several errors pointed out to me by a judicious friend resident in the university, who soon afterwards went abroad. But having, as yet, not above half finished my design, I threw my work into almost a new form, and very much enlarged it. Some part of it was composed hastily, at the printing office, while other parts were in the press. In this form it had not the advantage of a friend to overlook it, and with two or three exceptions, even the correction of all the proof sheets lay entirely between me and the printer. I mention these circumstances, as an apology for the many errata of the first edition.

To a hint dropt by a sensible friend, I am indebted for the idea of dividing the two middle parts into chapters; which made a considerable improvement in the form of my work: though the idea never occurred to me till the first part was printed off.

^{*} Dr. Edwards by proposing a grace for that purpose, and Mr. Friend by his Essay, entitled, Thoughts on subscription.

To another friend, well acquainted with the english law, the line of his profession, I am indebted for my acquaintance with one or two judicious writers on the english government; and to a respectable quaker, for the perusal of several ingenious treatises of William Penn's; a writer whom I here mention with respect, as one who brought me acquainted with a valuable writer on british antiquities; and to a learned friend in the vicinity of the printer's, for a frequent use of books in his valuable library.

To the same judicious gentleman, through whose liberality I was principally enabled to engage in the first edition of my Inquiry, I was also indebted for the discovery of several of the errors that appeared in the table of errata. And to the other friend, who overlooked the rough draught of the former edition, for overlooking the two first parts of this. I reckon it a misfortune, that the two last, and the preface, have been submitted to the examination of no one; a misfortune so much the greater, as these are the more delicate parts of my subject. I was brought into these circumstances partly through necessity, partly through delicacy.

Several gentlemen of established character in the literary world, and whose names, if I allowed myself to mention them, might reflect some honour on the present undertaking (which, therefore, to avoid the appearance of vanity, I conceal), were pleased to express themselves somewhat favourably of my work, under all its inaccuracies. In reliance on their
friendship,

friendship, and in deference to their judgment, I expressed a desire that they would point out to me any errors that should strike them: and they accordingly promised me to read my work with that view. But the alterations and additions in the two last parts of it were so material, that it would have been impossible for them to have pointed out the mistakes of this edition by the perusal of the former; often made, too, in so incoherent a manner, that they could not have formed a fair judgment; and so much in a course of reading, that I could not, in consistency with my plan, have passed the book from my own hands. After completing my design, so much time had elapsed, that the publication of the work admitted of no delay; and in passing it from one friend to another, I knew not when the business would have closed. Here, too, I had brought myself into a situation of some delicacy. If I had submitted the parts, to which I allude, to one friend and not to another, who had also promised to overlook them, I might have appeared guilty of neglect, where great respect was due; or, on passing them into the hands of several, I might have appeared to suspect, though unintentionally, the judgment of the last. Thus partly through necessity, partly through my own weakness, and partly through delicacy, I was obliged at length to take the present step, and to throw my work on the public to an evident disadvantage. If my peculiar situation may, probably, have forced me to use greater diligence, and to have proceeded with greater circumspection,

these disadvantages may, perhaps, be in some degree alleviated, though they cannot be wholly removed. For my sentiments, therefore, and my mistakes, as I only am responsible, so I must be content to submit to the lash of critics disposed to be severe. And to real critics I turn with deference and humility. But from triflers and bigots, from the malicious or the vain of any party, I ask no favour, I fear no censures. To the step which I have taken, I was led neither by self-confidence nor pride, but from an embarrassed situation, out of which I knew not how, otherwise, to extricate myself.

Amidst my many obligations, I feel myself happy to acknowledge myself much indebted to several respectable friends in the university of Cambridge, for my free use of the books in the public library, and in several private colleges: an advantage, which I reckon an indulgence, my degree not entitling me to it. I am also happy in acknowledging other favours shewn me, for a course of years, by the ingenious master* of the society to which I have stood more immediately related, as well as to the society at large; to other members of the university, and several gentlemen among the dissenters in and about Cambridge. For the use of the indulgences shewn me by the university, I should be sorry to lie under imputations unwarranted by my situation. He, however, who peruses this work, and ascribes to me any thing mean, unmanly, or ungenerous, enters not into my design. During my stay in London, I have been

* Dr. Farmer, author of the justly admired Essay on the learning of Shakepear.

indebted

AN INQUIRY
INTO THE
NATURE OF SUBSCRIPTION, &c.

PART I.
HOW FAR SUBSCRIPTION IS CONSISTENT WITH THE NATU-
RAL RIGHTS OF MANKIND.

CHAP. I.
THE PRESENT TERMS OF SUBSCRIPTION.

EVERY man, who has judgment enough to form a religious opinion, should have the uprightness to avow and support it. Most men, indeed, have the policy to profess an attachment to truth. It is said, She is of divine origin. The native dignity, which she wears, and the useful talents, which she possesses, give her a character of importance. When, therefore, she claims our attention, we allow the justice of her claim; we rise up with, at least, a profession of respect, and scruple not to pay her a few compliments. *Stet veritas, ruat mundus*, becomes the general cry.

B

Further,

Further, all men, who live in society, and enjoy its advantages, ought to feel an interest in its happiness. It is the claim of justice and of benevolence. A person uninfluenced by the social feeling, is properly an unique, and deserves to be doomed to solitude. But solitary existence is conceived, by the generality of mankind, to be insupportable. Men, therefore, either must possess, or at least, though it were only on selfish considerations, affect to possess, the social feeling, benevolence. How happy would it be for society, if these professions were always sincere! Man would then resemble the great Being, in whose likeness he was originally formed, and, by consulting the public good, answer the generous purposes of his creation^a.

Are men then not sincere, when they profess an attachment to truth, and benevolence? I did not say so. But this, I think, will be granted, that sincerity is as forward to practise, as to profess. We have daily intercourse with social beings, like ourselves: and there are actions, by which individuals in common life must every day give proof of the sincerity of their professions. These actions become the ground of mutual confidence, the basis of civil society. With men, moving in collective bodies, such proofs, indeed, cannot be so frequent. Periods, however, occur, when a test is demanded. For public bodies have their days of trial, as well as individuals, and should on those days maintain a consistency of profession and practice, if they would obtain general confidence, and secure a lasting respect.

Such periods are those, when applications are made for the removal of public grievances: and all human formularies of faith are entitled to that appellation. What professions are more common in the mouths of the learned,

^a Το γὰρ δι' οὐ ποσὶν χρόνον τι θείον ὅμοιον ἔχουσιν συγγενεῖται εἶπε καὶ ἀληθεῖαν
 Langinus περὶ ὕψους. c. 1.

when discoursing on the subject of subscription, than these? Our articles, we allow, are capable of amendment; subscription, we acknowledge, might, at least, be alleviated as to its terms, if not wholly removed; our church forms, we cannot deny, would admit improvement. Now an application for redress is but fairly putting the question, Have your professions any meaning?

Such applications have been made to the supreme authority in this nation. Such applications have been also made to the university of Cambridge^b. I wish I could add, that they had been attended with a success, equal to their importance. In the years 1772, and 1773, the protestant dissenters presented petitions to the house of commons to be relieved from subscribing to the articles of the church^c. At that time every licensed minister was obliged to profess his belief of 36 articles and an half. They have since been relieved from that grievance, and now profess their belief of the scriptures only. About the same time many clergymen of the established church presented a similar address; but this gained no relief^d. It reflects, indeed, honour on the uni-

^b The first grace for this purpose was proposed by Mr. Tyrwhitt of Jesus college in 1771. Jebb's Works, vol. 1. p. 207. Letters on the subject of subscription. The last by Dr. Edwards in 1787: both were rejected by the caput. Mr. Friend's Thoughts on Subscription, p. 2. 2d edit.

^c Arcana, or the Principles of the dissenting petitioners, &c. by Mr. Robinson.

^d Vindiciæ Pricstleianæ by Mr. Lindsey. How well the dissenters cause was managed, I shall have occasion to remark presently. Mr. Lindsey observes of the established clergy's petition, " Their cause was so well defended in the commons house of parliament by some of its most illustrious members, and so many appeared for it, that though unsuccessful, by the majority of the votes against it, it was truly triumphant." p. 47. First address. There were two assemblies of the clergy, who met for this purpose; one at the Feather's tavern, Fleet-street; the other at Tennison's library. No less than five of them have since attained the episcopal dignity!—Other petitioning clergymen will surely arise, since bishops have set the example.

versity of Cambridge to have attempted a removal of the grievance. At our sister university no generous effort has been yet made for liberty. Even at matriculation the young men still subscribe to the 39 articles, and have not even the shelter of a *bonâ fide* subscription^e.

The following very serious reflections are made by Mr. Archdeacon Paley, " Though some purposes of order and tranquillity may be answered by the establishment of creeds and confessions, yet are they at all times attended with very serious consequences. They check inquiry, they violate liberty, they ensnare the clergy, by holding out temptations to prevarication. However they may express the persuasion, or be accommodated to the controversies or the fears of the age, in which they are composed, in process of time, and by reason of the changes, which are wont to take place in the judgment of mankind upon religious subjects, they come at length to contradict the actual judgment of the church, whose doctrines they profess to contain, and they perpetuate the proscription of sects and tenets, from which any danger has long ceased to be apprehended^f."

The present Inquiry proceeds from a well wisher to mankind. Conscious of no ungenerous motives in undertaking it, but urged by the love of truth, and the strong

^e By the Oxford statutes, whoever go to be matriculated, having attained their sixteenth year, must subscribe the 39 articles of religion, take the oaths of allegiance and supremacy, and of obedience to the university statutes. If within their sixteenth year, and above their twelfth, they must then *only subscribe to the articles*. If they have not passed their twelfth year, they may be matriculated; but when of proper age, must go through all the forms. Corp. Statut. Univ. Oxon. tit. 2. § 3. The *bonâ fide* subscription now required of bachelors of arts at Cambridge is as follows. I A. B. do declare, that I am *bonâ fide* a member of the church of England as by law established. Statuta Acad. Cantab. Senatus consulta sine Gratia, p. 436.

^f Principles of moral and political philosophy, c. 10.

feelings of benevolence, he makes no apology for the freedom of his remarks. If the establishment of creeds and confessions be connected with the dearest interests of society, and with the most sacred engagements of religion, to apologize would be mean, and even impolitic. Professing, as he does, an attachment to truth, and benevolence, if he prove that subscription violates both, however imperfect the work may be, the design, at least, will need no apology.

CHAP. II.

SHORT HISTORY OF CONFESSIONS OF FAITH, AND OF THE THIRTY-NINE ARTICLES.

PRIOR to the golden era of the reformation, the roman pontiff held Europe in ignominious subjection. Reason was confined to very limited exertions: philosophy being curbed by theological restraints, and theology itself circumscribed by ecclesiastical law. For as faith, once supposed to consist in a belief of divine revelation, and to relate only to religion, was now made to consist in an implicit consent to the papal doctrines, the church thought itself authorized to give boundaries to human science. And while the pontiff thought himself infallible, the church held the perpetuity of the catholic faith.

It is true, there were, even in the darkest times, many enlightened christians; who, detecting the sophistry of these claims, dared to consult their own understandings.

But, in general, the tide of opinion flowed the opposite way. It was reckoned absurd to suppose, that he, who possessed the prerogatives of deity, and was even styled God in the canon law^a, could possibly think wrong; and it was deemed impertinent, to accuse a church of errors, that would reply, “ We are the true church, and the true “ church cannot err^b.”

The pretensions of the clergy kept pace with the encroachments of their ecclesiastical sovereign. They, in general, were in possession of all the little learning of the times; they, principally, held the great offices of state, and occupied an exorbitant share in the property of Europe. Robertson remarks^c, that the Scotch clergy paid one half of the taxes, laid on land: and in England, at a time when there were more than sixty thousand feuds, twenty-eight thousand were held by the clergy^d. The power, which they had gained over the property of mankind strengthened their authority over the understanding. Men, who in a civil capacity had been accustomed to view those beneath them as their vassals, or their subjects, were not disposed, when they appeared in a religious character, to over-rate human reason. The powers of the mind being thus held

^a Quem longe superiorem memoravimus deum appellatum cum nec possit deum
ab hominibus judicari manifestum sit. Decret. prima pars. distinct. 96.

Raynoldus says, that at the coronation of Alexander the 6th there might be seen in different parts of the streets of Rome the following epigram,

Cæsare magna fuit, nunc Roma est maxima, sextus
Regnat Alexander, ille vir, iste Deus.

Claude's Defence of the Reformation, p. 1. c. 2.

^b Ut supra. p. 1. c. 6.

^c Hist. of Scotland, vol. 1. p. 142. 5th edit.

^d Spelman. Glossar. feudum. Hume's Hist. of England, vol. 2. append. 2.

in slavery, contradictions wore the air of consistency, and falshood passed current for truth.

But, as literature revived in Europe in the 16th century, men began to feel their own importance, and reason grew impatient of religious restraints. It became, therefore, absolutely necessary, that the state of religion should undergo an alteration. Previous, however, to this undertaking, a most important question was to be settled, which was, whether in religion men have a right to follow their private determinations, or should submit to public authority. The roman pontiff continued to enforce subjection: but a spirit of reform was gone forth, and the men, whom it pervaded, were no longer disposed to acquiesce in the claims of an ecclesiastical sovereign.

Those who led the way in the great work of reformation, were little aware of the extent of their own principles. Other men soon arose of different sentiments, who ventured also to claim the same privilege. Such were those well informed, respectable, and sorely injured assertors of the unity of God, who formed assemblies through Poland, Hungary, and Transylvania, and the german baptists, those warm assertors of the civil and religious liberties of mankind. Some made an immediate separation from the reformed churches, so called, while others, at first, united with their orthodox brethren. But, at length, the latter glowing with religious zeal, began to view them as heretics, and were unwilling to let them share with them the benefit of public worship. This is particularly true of those unitarians, who formed the first church at Cracow, in Poland^c. Having exercised this grand prerogative of rational beings, to think for themselves, they also set up separate places of worship.

^c Præfat. ad Op. Crellii apud Frat. Polon. vol. 2. Sub fin.

In proportion to the different judgments, and the different interests of mankind, disputation grew violent, and various disorders ensued. The catholics charged these disorders on the principles of the “pretended reformed.”

The leaders of the reformation thought it expedient to wipe off the aspersions. They formed the design, therefore, of making a public declaration of their principles, they imposed civil and ecclesiastical restraints on private judgment, and, while lying under a charge of heresy themselves, wished to make it appear, that they also held no communion with heretics. But how was this to be done? Public confessions were soon drawn up, and a profession of uniformity was subscribed by all the teachers. In 1563, the decrees of the council of Trent were confirmed by pope Pius the fourth, and the year following ecclesiastics were sworn to obey the pope, to abide by the decisions of councils, particularly those of Trent, and to receive the doctrines of the church; of which some were less circumstantial than even those contained in the confessions of the reformed.

The protestant princes of Germany had already set an example. A diet was held at Augsbourg in 1530, under Charles the 5th, and there an explicit confession, confirmed by the leaders of the several churches, received its birth^f. This effort, however, was not sufficient, for uniformity was a slippery thing, and protestants could not so easily secure it. To give, however, public proof, that if other churches were heretical, the belgic, and gallican churches, at least, were orthodox sisters, they drew up a HARMONY, the faith of eleven protestant churches! On the same principles proceeded the “book of concord”

^f Confessional, c. 1. page 5. 2d edit,

among the remonstrants in Holland, and in 1612 the “corpus confessionum” at Geneva^g.

In England, the case stands as follows. After Henry the 8th had taken the supremacy of the church from the triple crown, and had placed it on his own, by virtue of his newly acquired authority, he appointed six articles, ordaining among other things, “That all bishops, and ministers were to believe the whole bible, the three creeds, the apostles, the nicene and athanasian, and interpret all things according to them, and in the same words.” In the preface it is said^h “They are to maintain unity, and concord in opinion.” In Edward the 6ths reign, Cranmer and others, remonstrated against these articles, (“That monstrous hydra with six heads,” as Mr. Foxⁱ calls them) and they were repealed; but 42 articles were published “for the avoiding diversity of opinion, and gaining true consent, touching true religion.” In queen Elizabeth’s reign 11 articles were set out by order of the metropolitans, and the rest of the bishops, “For the unity of doctrine, to be holden by all parsons, vicars, and curates, as well in testification of their common consent in the said doctrine, as to the stopping of the mouths of them, that go about to slander the ministers of the church for diversity of judgment^k.” Some time after the whole were surveyed, and at length comprized within a compact little system of 39 articles.

It must not be said, that articles will admit a latitude of interpretation, which were framed to testify common consent; we may not talk of a private interpretation of articles,

^g Confessional, c. 1. p. 9, 10, 11, 12, 2d edit.

^h Burnet’s Hist. of the Reform. p. 1. b. 3. p. 217. 2d edit.

ⁱ Acts and Mon.

^k Burnet’s Hist. of the Reform.

which

which were designed to prevent a diversity of judgment. By those, indeed, who are acquainted with the history of the times under consideration, it must, I think, be allowed, that the notion of diversity of judgment never entered the minds of the english reformers. They supposed, rightly enough, "that scripture had but one meaning," yet were rather too confident, that they were in possession of the truth. And in confirmation of this, let it be recollected, that when the "harmony of confessions" was published, among those of other reformed churches, appeared that of the church of England¹. So that bishop Burnet, though disposed on other occasions to a liberality of interpretation, ingenuously confesses in his "history of the reformation," that the 39 articles were something more than articles of peace, and adds, "That the men who subscribed did either believe them to be true, or else they did grossly prevaricate^m."

Did not the royal declaration too afterwards prefixed to them, and never invalidated by any act of the legislature, further^m preclude a latitude of subscription? The articles were to be subscribed "Ex animo, in the literal and grammatical sense," and as this declaration has been continued in every subsequent reign, doth it not imply that uniformity is still demanded? Without such subscription, no person is still admitted to exercise the office of teacher in the church.

This subscription is demanded by the canons. For it has been observed, that by the 13th Eliz. c. 12. Subscription is enjoined to those articles, "Which only con-

¹ Confessional, p. 11. 2d edit.

^m Burnet. See further a case that was resolved by all the judges of England in Coke 4 inst. 324.

cern the confession of the true christian faith, and the doctrine of the sacrament :” and that by 14 Car. II. the articles “ to be subscribed” are the articles “ mentioned” in the preceding statute : the limiting clause, therefore, being still in force, there is no act of the legislature, imposing subscription to all the 39ⁿ. Observations of this kind do not indeed fall in the way of this part of my Inquiry. It suffices to remark here, that the origin of the act of uniformity, under Charles the second, and various clauses in the act itself^o, suppose the reception of the disciplinarian, as well as the doctrinal, and sacramental articles, and that the canons of the church do actually impose them all.

By such conduct did the reformers betray their own cause, undermining the grand principle, which supported the fabric of protestantism. By framing creeds, and confessions, by drawing up articles, and canons, they furnished the romish disputants with arguments, which were used with dextrous management to invalidate the reformation. For the sentiments of the reformers did not, unfortunately, allow them to lay claim to an infallible head. So that, after all their pretensions to harmonizing, their adversaries still asked, “ What reason can be given for this so great difference, but their want of that leader and governor who alone can, and ought, to confirm all the brethren in the faith, and retain the whole church in unity.” Thus triumphs Bellarmine^p, who had before affirmed, “ That there was never one general council among the reformed, in which they agreed in any one article.” The

^o Archdeacon Blackburne and Mr. Selden were of this judgment (Confessional, Pref. p. 10, &c. 2d edit.), though I confess, after having weighed together the acts referred to above, I differ from them.

^p Burn’s Eccles. Law, vol. 1. articles, p. 74.

^r Op. Bellarm. vol. 1. De Romano Pontifice, Præfat.

celebrated Bossuet in France too managed this argument with the most plausible sophistry, against the learned protestant reformer, Claude. The success is well known. The cause of truth was overpowered by the champion for error !

CHAP. III.

ON NATURAL RIGHTS.

SEVERAL very interesting questions may be asked on this subject. I propose four.

I. How far is the establishment of subscription consistent with the natural rights of mankind?

II. How far is it consistent with the powers of the human mind?

III. How far is it consistent with the principles of the british constitution?

IV. How far is it consistent with the doctrines and precepts of christianity?

I. I ask, then, first, How far is the establishment of subscription consistent with the natural rights of mankind? meaning by natural rights, those, with which I am invested by the Author of my existence.

The preceding chapter relates more immediately to the church. But this part of my Inquiry proposes to consider subscription in reference to academical institutions. I am sorry it becomes necessary to make this twofold arrangement.

¹ Robinson's Life of Monsieur Claude, prefixed to his Essay on the composition of a sermon, v. 1. p. 38.

I never feel myself more disposed to love my fellow creatures, and to hold their just claims sacred, than when I hear this question asked, Have we not all one Father? Great Parent! I immediately say, Should we not all then be united by the tenderest ties, and become mutual guardians of our common privileges? By considering the relation, which all men bear to the common Parent, I immediately see the relation, which subsists among all mankind, as a family. Many reasons might be given from scripture to prove, that the authority, exercised by the patriarchs, could be no other than what is properly called paternal ^a. In this infant state of society, though each, according to his different talents, would move in different departments, yet there would be no opposition of interests; no exclusive privileges would be enjoyed; no invidious distinctions kept up. In proportion to the smallness of these societies, and the narrowness of their territories, the fraternal spirit would exert itself in all its simplicity and glory. Primitive societies would naturally put this question, Are we not all brethren?

In process of time, as the family multiplied, the boundaries of their habitation would be necessarily enlarged. What then? Travel which way they would, east, west, north, or south, Had they not all one Father? Each had to other the same relation, all were in possession of certain original rights, of which no one could justly deprive them, the rights of men.

I observe further; that as the wants of mankind are the foundation of society, and as society gives birth to govern-

^a I speak here in opposition to the regal absolute power contended for by Sir Robert Filmer, in his Patriarcha, Sidney's disc. on gov. b. i. c. 1. Locke on gov. b. i.

ment, government is dictated by nature: that as the power of individuals would form a political state, comprehending the union of several families, so far as those political unions were conformable to nature, they became the guardians of those rights^b.

Is it asked, What those rights are? Survey the soil where ye received your origin. On that soil grow your rights. Are ye born among the american tribes? Strangers to the refinements of literature, and the luxuries of wealth, nature hath, however, furnished you with the means of subsistence, and the materials of happiness. The Great Spirit, ye might say, gives no one a right to deprive us of them.

Are ye born among the Gentoos? Ye might say, The supreme Being, who is best pleased when his children live in love, and promote good works, gives no one a right to oppress us. The wisdom of Brahma left us good laws, and a pure religion. We all alike claim justice to be administered to us. The wisdom of Brahma made division of our people into four tribes. Let not one tribe oppress the other, nor let any individual in either encroach on the common privileges. Ye Soubahs, and Nabobs, sons of cruelty and oppression, Why have ye levelled cruel taxes, and disordered our government? Why have ye plundered us of our property, beggared our families, and murdered our people?

Are ye natives of China? Ye might say, We worship, and adore Tien. We love our prince, he is the good father of his people, and we are his children: obedience is his due: exclude us not from the pleasure of serving him,

^b Montefquieu De L'Esprit des loix, l. 1. c. 1, 2, 3.

nor deprive us of the reward: let us till our lands in peace: let us enjoy the fruits of our labour without interruption, and without loss: we boast of a government, which breathes a spirit of domestic œconomy. Will ye by unnatural encroachments destroy the harmony of our family?

If I live in a republic, the character of which is commercial, like that of Holland, I have a right to my proportion of influence in the public concerns, and to the advantages of commerce; if under the government of a mixt monarchy, like that of Britain, I have a natural right to partake, according to my rank and abilities, of all the advantages, preferments, and rewards, incident to that form of government.

Yes! if I were born under a government, favoured with the peculiar smiles of heaven; where the arts and sciences flourish; where commerce and agriculture have attained a high degree of improvement; where a wise and free polity is the national boast; where morality and religion rest on the surest basis; where all the elegancies and refinements of life abound, where every thing, that can ennoble the mind, humanize the heart, and enrich a state, find a friendly soil, and, at some future period, may, perhaps, gain perfection? My natural rights then grow in Britain: and each individual, according to our different ages, and stations in society, should in justice reap them.

Yes! I repeat it again, by the same relation, that I lay claim to the privileges of an Indian, if I am born among the american tribes, or of a Gentoo, Chinese, or Hollander, if I am born among them, I am entitled to the advantages of more polished life, if I receive my birth in Britain. We are social beings, united together from a conviction of our mutual wants, and for the attainment of mutual advantages. All men of virtue, and of influence,
have

have a common right to be considered as the objects of public trust, and to be employed for the public utility; I say a common right, making, however, a proper allowance for the different talents of men, and for different departments of office. Each ought to be allowed to educate his children according to their rank: if literary advantages are to be derived from any national endowment, they should be suffered to flow in bountiful streams to the nation at large; and not be guarded like pitiful waters, for the exclusive benefit of a few. Are we rational beings, capable of thought, and reflection? We have a right to the free exercise of our reason; to embrace any speculative opinions on the vast variety of moral and literary subjects. Are we able to express our thoughts by words, and our words by signs, or letters? We should have the liberty of speaking our sentiments, and of publishing them to the world. There is a Being who created us; he has commanded us to worship him. He has made a revelation of his will. It becomes the leading duty of life, and one of our most important natural rights, to consult that revelation, and to choose our religion. There should be no impediments to obstruct our choice, nor penalties, after we have made it^c.

These, and others like them, I call natural rights; which should be as free as the air, that we breathe, or the light, which enlivens creation, the gift of heaven. They are claims, arising out of our present situation, our mutual relation, and our common equality. They are therefore just claims. Whoever attempts to violate them,

^c Gradus autem plures sunt societatis hominum: ut enim ab infinita illa descendatur, propior est ejusdem gentis, nationis, linguæ, qua maxime homines conjunguntur. Multa enim sunt civibus inter se communia, forum, fana, porticus, viæ, leges, jura, judicia, suffragia, consuetudines præterea et familiaritates, multisque cum multis res rationesque contractæ. Cicero de offic. l. 1. 17.

encroaches on the common privileges, and supports the cause of tyranny: no consideration being a sufficient plea for an exclusive enjoyment, but such conduct, as injures government, and disorders society; or such circumstances, as carry with them the most undeniable evidence of natural incapacity in the excluded party.

“ A free state, as a good political writer remarks, at the same time it is free itself, makes all its members free, by excluding licentiousness, and guarding their persons and names against insult. It is the end of all just government, at the same time it secures the liberty of the public against foreign injury, to secure the liberty of individuals against private injury. I do not, therefore, think it strictly just, to say, it belongs to the nature of government to encroach on private liberty. It ought never to do this, except so far as the exercise of private liberty encroaches on the liberty of others; that is, it is licentiousness it restrains, and liberty only, when it destroys liberty^d.” A just government, therefore, by forming a barrier against tyranny, preserves sacred those valuable rights before-mentioned. But does not the establishment of test laws, and subscription violate them all?

^d Price on civil liberty, part 1. f. 2.

CHAP. IV.

HOW SUBSCRIPTION AFFECTS NATURAL RIGHTS.

IT is well known, that places of public trust, extensive influence, and general utility are shut against many persons in England by a sacramental test. Catholics, protestant dissenters, jews, and deists, are all affected by it: among whom will be found men, who are of equal consideration with churchmen. But the doors, by which they should enter to the enjoyment of their natural rights, are, I say, shut against them by religious tests, improperly so called, the *ne plus ultra* to many a brave man. The test act was originally directed against catholics, who, at the time, were said to be incapable of giving security to government; but was applied too successfully to men, who most conscientiously could. The people to whom I allude, were neither savages, idolaters, outlaws, nor aliens; but men, whose origin is as respectable, whose complexion as fair, whose abilities as distinguished, whose religion as pure, whose pretensions in every respect as just, as those of the reigning party. The test laws affect all parties in England; and in the latter instance, violate the rights of those, who by the ties of nature, the correspondence of character, the bonds of society, and the engagements of religion, are our brethren, who are in the most respectable sense our equals. They are men, christians, Britons, and protestants. Now as every form of subscription is a test, so is every test a virtual subscription. A compliance with these requisitions admits a man into those places of trust, influence, and advantage, to which he had
a previous.

a previous title. A test, therefore, does but admit him to his proper rank, while a non-compliance is a disqualification, and thrusts him from public notice. (And, What doth it argue, whether I be a pupil of Spinoza, or of Jesus? Whether I embrace the creed of Arius, of Athanasius, or of Socinus? *Homo sum et civis*. A test, which admits me to the enjoyment of a natural or civil right, doth in fact deprive me of it. For it implies, that previous to the test, I have no claim. So that the law of exclusion not only injures those, to whom it denies its protection, but those also, whom it receives to its favour^a.)

But subscription itself, is the subject of the present Inquiry. And, What ample materials are here afforded for discussion! Was it natural in the men, who in the 16th century receded from the slavery of popery, to subject their schools and universities to confessions of faith and church discipline? Whether the policy was agreeable to nature, or no, such was the practice of all the protestant churches in France, that reformed themselves after the platform of Geneva^b. Does not England, too, expose herself to censure from this quarter?

^a The corporation and test acts were both passed in Cha. the 2ds reign: the former in 1661; the latter received the royal assent March 29, 1673. Both were originally aimed against the roman catholics, though afterwards applied to protestant dissenters. See a Sermon on sacramental tests by Mr. Robinson, preached at a meeting of delegates from the dissenting congregations in Cambridgeshire. Since this part of my subject was finished, a work has been published, entitled, the Right of the dissenters to a complete toleration, by a layman; a performance, which deserves the serious attention of the legislature: wherein not only an accurate history of the sacramental test is given, but its injustice, inexpediency, and impolicy are fully shewn. The first article of the french constitution ought to be written in letters of gold; viz. *All citizens* are admissible to places and employments, without any distinction but that of ability and virtue.

^b Quick's Synodicon, vol. 1. ch. 2. p. 26, 27. Introd.

It is well known, that the liberty of educating youth in England was in the year 1603 confined to persons of a particular description; and further, that those people, who, by not subscribing to all the 39 articles, were excluded from the benefit of national endowments, were even deprived of teachers of their own persuasion, till those teachers were authorized by subscription to part of those articles. This grievance also lay on all dissenting ministers. It is now in part removed: but, in part, still remains. However, thanks to the mildness of the present times, many practise by connivance, what still wants the sanction of legal authority. For as the laws of religion frequently remove the inconveniencies of political institutions^c, so does the natural justice of man, not uncommonly, correct the injustice of particular laws. I myself have never been licensed either to preach, or to teach youth; (nor do I mean ever to be) yet I have continued to do both without interruption, almost ever since I left college. Now if to educate our youth be a natural right, ought not men to be left in the free possession of it? Should not parents be suffered to choose tutors for their children without restraint, and tutors be left to the province of education, without subscribing to articles; without subscribing even to the scriptures themselves? A natural right is common to all: episcopalians, presbyterians, catholics, jews, and deists, have all an equal claim. Does not subscription to any thing, as a license to teach youth imply the contrary? Natural and civil rights stand independant of religion.

But if the principles, here laid down be true, I shall not be satisfied with the question, Whether men should not be left at perfect liberty in the education of their children,

^c Monteq. De l'Esp. des loix. l. 24. c. 16.

without the shadow of a subscription, or fine? But I shall be inclined still further to ask, Should not public endowments, like our universities, be considered as public benefits? Should not royal establishments comport with the magnificence of princes, who ought to be fathers of their people, not heads of a party? Should not dissenters of every denomination be entitled to the advantages of our universities, as well as the most zealous sons of the church? And entitled to them without a religious test? For if a religious test admit men to the enjoyment of a natural right, Doth it not, in fact, as was asked before, deprive them of it?

And if the principles laid down be true, I am very far from thinking, that catholics, protestant dissenters, jews, and deists, are the only men, injured by subscription. I must beg leave to ask another question: Doth it not also injure those, who call themselves the church? We have already remarked, that at Oxford, no youth can be matriculated without subscribing to the 39 articles; and that even at Cambridge, none are admitted to their first degree without a bona fide subscription^d. All our degrees in arts^e, law, physic, music, and divinity, are guarded by

^d "To be a member of any church," says Mr. Frend, "a man must necessarily assent to the principles of union, laid down by the society, which compose it." Now as the principles are established by law, and are composed of doctrines, and discipline, Mr. Frend rightly concludes, that a person cannot be bona fide a member of the church, unless he believe its doctrines, and practise its discipline. Vid. Frend on subscription, p. 8. 2d edit. Thus in the famous case of Mr. Evans, who, as a bar to his being sheriff, pleaded, that he could not qualify, being a dissenter, lord Mansfield enumerating what constituted a person bona fide a dissenter, related those particulars, which properly distinguish a person, as a member of a dissenting church. Lord Mansfield's Speech at the end of *Furneaux's* letters to judge Blackstone.

^e It is, however, worth noting, that there is actually no grace or statute at Cambridge, enjoining subscription for a master of arts degree.

subscription. If I have made a fair statement of natural rights, it will follow, that such demands are impositions, irreconcilable with the claims of general liberty, and should be considered by the members of our learned seminaries as a severe oppression. A literary qualification being supposed, Should they not be admitted to their respective emoluments and employments without a religious test? For, What doth a religious test do for them? It gives them a power of entering on a possession, where they had a right to enter before: making that a matter of reward, which is a matter of justice.

Our common notion of liberty, Mr. Sidney well remarks, is not from school divines, but from nature^f. My definition of natural rights I have, therefore, not taken from schools or books; and I am aware, that it will not be reckoned accurate: theological and political writers understanding by natural rights, those, which men possess, before they enter into a state of society. The distinction is certainly accurate. Yet I feel no inclination to correct myself. For though I deny not, that, what I call natural rights, belong to men in a state of nature; that some are resigned, when we advance to civil society; and that, strictly speaking, social rights are later claims, acquired by the relations, into which we at that time enter: yet, I think, it deserves to be noted, that social or civil have a perfect analogy with natural or absolute rights. The portion of liberty, given up in society, for the public security, forms government, which, while it corrects the wantonness of natural liberty, should always be the guardian of those privileges, which men receive, by uniting in civil society. Whatever degree of liberty men resign, they should resign

^f Disc. on Gov. c. 1. s. 2.

in common, and whatever benefits they enjoy, they ought to enjoy in common. While men, prior to any civil union, live at large, they are in a state of equality: but as soon as they unite, that equality ceases. Yet all just laws, by protecting us in our proper claims, and serving the public interest, tend in some measure to restore equality^g.) So far as laws have not this tendency, but ordain exclusive privileges, except under the circumstances before mentioned, oppression is established, and some individuals must be injured. A state of society is, in fact, a state of partnership.

CHAP. V.

THE FORMER CHAPTER ILLUSTRATED BY EXAMPLES.

REMARKS ON THE PARTIALITY OF THE ENGLISH UNIVERSITIES.

A RELATION of particulars will, perhaps, place this subject in a proper point of view. There are many catholics, natural born subjects of great Britain. The voice of justice says, They are entitled to the privileges of citizens. But their religious profession exposes them to harsh penalties, and excludes them from civil employments. From our universities, too, they are excluded by ecclesiastical restrictions. In vindication of these restraints, it has been said, that they hold a disaffection to government, which seeks its destruction: that they maintain, no

^g Montesquieu.

faith may be kept with heretics: that princes, excommunicated by the sovereign pontiff, may be dethroned; and, that they are in the interest of a foreign pretender. Some years ago, it is confessed the fears, to which such principles would give birth, were not groundless. But in regard to the catholics of modern times, residing in Britain, they have it in their power to say,

Tempora mutantur, et nos mutamur in illis.

They will tell you, that this whole system of fear is ideal; that the arguments, which support it, are derived from the maxims of more remote periods, and from educational prejudices, not from modern facts, and real life. It wants proof, they say, that modern catholics believe, The pope hath a right to supremacy in all christian countries; and, that the church may dethrone monarchs. This power was, indeed, challenged by several pontiffs; but by most liberal catholics is now considered as an obsolete claim. Those who reside in this nation have given many proofs of loyalty. As to their attachment to a foreign prince, this should by no means be considered as peculiar to a catholic; James II. and his descendants, indeed, were catholics, but Jacobotism was never a sentiment peculiar to popery; many protestants have held it; many catholics never did. But it is really time to give over fears from this quarter. When the pretender was living, and his expectations rather sanguine, how few partizans he had, may be recollected by what happened in the year 1745. From that time they have considerably decreased, and catholics now make as good british subjects as protestants*. And, even if con-
siderations

* Miscel. Tracts by Mr. Arthur O'Leary. Loyalty asserted, and the New Test Oath vindicated.

derations of political necessity might operate to exclude them from offices of civil trust, the same would not apply to academical institutions.

To these we join "a philosophic sect^b;" I mean the people, whose principles will not allow them to bear arms, to take oaths, or to pay tithes. Like the former, they are men, Britons, and christians. But in regard to their political principles, the case is by no means parallel. The quakers (as these people have been called) were never disaffected to the british government; nor did they ever profess allegiance to a foreign prince. Not allowing themselves to administer an oath, they are necessarily debarred some offices of magistracy. Equally averse to bearing arms, they are of course incapable of military distinctions. But this incapacity is of their own creating. Government need not exclude, but ought still to protect them; having found in their religious principles all that security, which it can reasonably desire. Thus writes their famous apologist in his address to Charles II. "In England there is scarce a prison, that has not been filled with our people, nor a judge, before whom we have not been haled. Yet in all the plots contrived against thee, since thy return into Britain, there was never any owned of that people, found or known to be guilty, but always were found innocent and harmless, not coveting after, nor contending for the kingdoms of this world, and yet subject to every ordinance of man for the Lord's sake^c." He could have added, we

The catholic dissenters have very lately stated their case, and presented a petition to the House of Commons, 1789. What I have said above, is confirmed by those papers.

^b So Voltaire calls the quakers.

^c Mr. Barclay's Apology for the quakers. The address to the king. See also Prop. 14.

abhor

abhor oaths; but we do homage to truth, We attend to no ceremonies; but we practise virtue. We are in want of no priests; but we listen to the voice of instruction. Excellent men! Yet ye cannot be admitted into our universities. Bonâ fide ye are not of the church.

In respect of the other sects, what is true of the quakers, will also, with some allowances, be found true of them. In their religious sentiments, indeed, they vary; and most of them, different in this respect from the quakers, hold the right of resistance. But there are some principles, in which they all agree, favourable to civil government, and characteristic of the fundamental principles of the british constitution^d. Their public conduct has been consistent with their principles; and to the truth of this assertion, the house of commons, on many memorable occasions, have borne upright testimonies.

The baptists have been represented as the most violent and ungovernable of mankind: and many of our college statutes, as well as our church canons, guard expressly against them. The “anabaptistical errors,” indeed, have been cried down all over Europe: and yet, by those who are best capable of speaking on this subject, it is affirmed, to be no easy matter to ascertain, what these “anabaptistical errors” have been: the baptists, of all sects in christendom, having professed the greatest diversity of political, as well as of religious sentiments^e. This is particularly true of the german baptists. When, therefore, bishop Warburton says, the “german anabaptist, who holds capital punishment to be sinful, ought to be debarred some offices of magistracy^f,” he says just nothing; for he, who

^d Vid. a Political catechism by Mr. Robinson.

^e Robinson's Hist. of baptism. p. 465. &c.

^f Alliance between Church and State, 1. 3. p. 214.

holds this sentiment, would necessarily exclude himself from those offices, which could not be administered without inflicting death. And if a few german baptists held this sentiment, Would it follow, that the "german anabaptist" in general did? Not however to dispute this, What shall we say of the english baptist, who holds no such sentiment? Must we exclude him, too, from offices of magistracy, and our seats of literature?^g Upon an impartial inquiry it will be found, that two of the grand "anabaptistical errors," in England have been those very sentiments, which have rendered Sidney, Milton, Locke, and Montesquieu, famous through Europe. To the fundamental principles of our constitution they have ever felt a zealous attachment. Their learned advocate thus pleads their cause. She is sensible (he is speaking of queen Anne,) "That we are as hearty as any of her subjects, and as ready, with the utmost hazard of our lives and fortunes, to support the crown and dignity she justly enjoys, and so highly adorns. And if I know the anti-pædobaptists, as I think I do, I speak from my conscience, and in God's presence, I am satisfy'd, there are not truer friends to the government, that will do more for it according to their abilities, in the three kingdoms^h." Like the quakers, the baptists are men, Britons, christians, and protestants. But, What doth alma mater say of baptists? No entrance for schismatics: and she turns the keys of all the college gates on them.

^g The baptists have been an injured people. In our college statutes "libertines and anabaptists" are reckoned as one; Stat. Reginal. coll. 20. De hæresibus non defendendis: and at a time when an act of indemnity passed, state criminals and anabaptists have been excepted. Burnet's Hist. of the Reformation. This sect disavow the name anabaptist, and call themselves baptists.

^h Dr. Gale's Reflect. on Wall's Hist. of Inf. Bap. Let. 1. p. 9.

Thus

Thus we treat schismatics. What do we say to heretics? I mean to arians, and socinians. We do not, they say, admit that Jesus Christ is the supreme God. We cannot grant, that in the unity of the Godhead there are three persons of one substance. But we honour government. We are thankful for the gift of reason. We revere the sacred scriptures. We hold the rights of all mankind sacred. Lardner and Leland, Emlyn and Taylor would not subscribe to the 39 articles. They were heretics. What doth alma mater say of Newton, Locke, Whiston, and Clarke? Yet deny it who will, they were all heretics. In the early part, indeed, of life they subscribed to the 39 articles. But would they have done it to the close? They disbelieved, it is acknowledged, our doctrinal articles. But having reflected such honour on our universities, Ought they, on account of religious speculations, to have been refused its privileges? What strange words would these have appeared, when uttered by alma mater against these oracles of learning! *Bona fide* ye are not of the church: rebels and heretics, ye are disaffected to "king James's three darling articles!" That truly upright and apostolical man, Mr. Whiston, did, however, receive this treatment.

It will, perhaps, appear an affected catholicism, to place jews and deists on the same seat with orthodox christians. Let it appear so. I smiled, on reading some years ago an article in one of the London papers, which respected the admission of jews to the freedom of the city of London.

* One objection, it seems, brought against Dr. Edwards's Grace was, that the unitarians were supposed to be its patrons. Mr. Friend on Subscription, p. 12. 2d. ed. Were those who started this objection aware of the honour, which they did the unitarians? Are unitarians the only men at Cambridge, who dare to plead the cause of mankind?

The recorder gave his opinion to a case, laid before him by Mr. Solicitor, that a jew renouncing judaism, and being baptized according to the rites and forms of the church, should be admitted to the freedom of the city. To admit a jew to the freedom of the city, where he was born, and in which he resided, was certainly agreeable to natural justice. But, Why was baptism to be urged as a plea? The voice of justice speaks, hear, all ye inhabitants of the world! Ye disciples of Brahma, of Mohammed, of Moses, and of Jesus! In whatever country ye are born, whatever ceremonies ye practise, into whatever doctrine ye are instructed, the law of nature is one, the rights of nature are invariable. The laws of baptism, and of circumcision give no title, and offer no bar, to my impartial regard. Let me hold the scale, and remove rogues and fools, and all men weigh alike.

I affirm, and feel indignation, that the jews have been cruelly treated by christian states^k. Three hundred and four years they were banished from England; but were, at length, recalled by Oliver Cromwell^l. The forefathers of the present generation were, consequently, aliens, and received into this country, as foreigners. But, Ought not our modern jews to be treated as the natural born subjects of Britain? Are they not men? Are they not our brethren? And, living with us in a state of civil society, Are they not entitled to the common privileges of citizens? They will be found, perhaps, equally qualified with the most devout christians, to preside in a corporation, to represent a borough, and to dispute in the schools. If the

^k Hume's Hist. of Eng. v. 2, 3, 4. p. 136, 198, 225, 236, 237, new edit. 1786.

^l Stow's Survey of London, p. 288, 289. edit. 1633.

principles laid down be true, Have they not as just a title^m?

Should jews then be admitted to our universities? I see no reason for excluding them. Are these good arguments in support of our exclusive privilege? The sons of Israel killed Jesus: the justice of heaven is pursuing their children: they are banished from their beloved Canaan: they reject the christian doctrine. Let all this be granted. What then? (The jews viewed Jesus as an impostor; and nailed him to a cross: but the jews are men. "That Christ should have been God before the world, and that he should submit to be made a man hath appeared to their posterity not only impossible, but even absurd": yet the jews are men.) The jews are circumcised: but the jews are men, and equally capable, as christians, of understanding this maxim, "What ye would, that men should do unto you, do ye even so to them." Some years ago two eminent jews resided in a university town, and it is still reckoned no disgrace, to read the hebrew grammar of the father, and the book of fluxions of the son. But, ye sons of the circumcised! Ye could not subscribe James's three darling articles.

And, Why should deists, living among christians, be treated like inhabitants of another world? The Author of nature endues them with reason, and presents them with revelation: and to him they are accountable for the use of both. A citizen of Geneva^o loved the morality of Jesus, but held doubts concerning the christian doctrines. Perhaps,

^m Lady Montague, when at Adrianople remarks, that the jews have privileges above the natural Turks themselves, and have formed a very considerable commonwealth, being judged by their own laws. Letters, vol. 1. p. 200.

ⁿ Justyn. Martyr. Op. Dial. cum Tryphon. jud. p. 267. edit. Paris.

^o Rousseau's Emilius and Sophia, vol. 2. The Profession of a Savoyard curate.

he did not understand them. He was exercised with perpetual suspicions: he thought every christian his enemy: but, at length, found a peaceful asylum from the persecutions of bigots. Why do we throw impediments in the way of deists? Those impediments will but increase their power, and even give them a license, to do mischief. Is a deist a member of civil society, a man of humane sentiments, and a lover of the polite arts? Why then should we refuse him a place at our universities, though not choosing to attend our chapels, or subscribe to our articles?

But I ask again, Are not even the members of the established church injured by subscription? If I have made a fair statement of natural rights, nobody, I think, will be disposed to dispute the justice of their claim; though many will scruple to allow them any prior or exclusive title; for, that would destroy the notion of a birthright; a natural, or birthright, being a common right. However, the people, of whom I speak, have this to say, They were born within the bosom of the church, nourished at her breasts, and educated under her immediate care. Their parents, their tutors, their friends, were all her dutiful sons; nor have their affections, so far as we know, been alienated from her interest. They tell us, that they were baptized, and have been confirmed into her doctrine; that they have continued to repeat her catechism, and to attend her worship. "We beg, said some petitioning undergraduates of the university of Cambridge in 1771, that our subscription to the articles may be dispensed with, not because we object to any of them, but because we have not had an opportunity to study them." If literary advantages are to be derived at our universities; if the conferring of a degree be

² Jebb's Works, vol. 1, p. 210. Letters on the subject of subscription.

the public sanction to academical merit, a recommendation at the entrance on public life, and an introduction to many of the benefits of civil society, Why should they not be suffered to enjoy them, without being perplexed with subscription? Why not be allowed, in proportion to their merit, and according to their respective claims, to advance in order to every academical privilege? In many cases, they are not clerical men, and will in future life move in departments unconnected with theology. Why must subscription, then, give them a title to privileges, to which they had a right before? Among the important lessons that a neighbouring country is now teaching the nations, that is not among the least, which respects PUBLIC INSTRUCTION.

CHAP. VI.

FURTHER REMARKS ON THE ENGLISH UNIVERSITIES.

As the preceding questions relate more immediately to subscription at our universities, I will just observe, that there are three sorts of institutions, from which universities appear to differ.

I. They differ from public schools. Public schools may be considered, as nurseries for our universities, and universities should be the patrons of **all** public schools. Both princes, and private persons, may certainly, at their pleasure, dispose of their own property; and from many benevolent considerations may choose to erect public schools, and other eleemosynary institutions, with certain restrictions;

tions; like that of Edward the 6th for orphans, and that of Mr. Sutton for decayed merchants. There may be also just reasons for appropriating some colleges to particular schools; or some peculiar emoluments in a college to persons particularly specified. Thus King's college in Cambridge is confined wholly to the scholars of Eton; in Emanuel college some fellowships are assigned to particular counties, and a fellowship was founded in Queen's, with the condition, that the person possessing it, should preach two sermons every year at Over. But a university is a collection of colleges: and, if there be graces or statutes, excluding many persons from all colleges alike, and depriving them of all university expectations^{a b}, Will not the case be materially altered? The province of public schools is simply the education of youth, and confines its attention to the rudiments of science. But the views of universities are far more extensive. Their design is, to lift youth into manhood, to lay open the more abstruse parts of science, to protect the polite arts in general, to promote new discoveries, to enlighten, improve, and enrich a nation at large. While, therefore, public schools rise out of small beginnings, and will bear but a slight superstructure, universities are founded originally, as it were, on a broad basis. Should they not, then, be built of solid materials, display a princely munificence, invite and even allure all, discountenance none, and so be directed to the public utility? Let such institutions resemble the wide sea, into which all neighbouring rivers flow. *Mare fit liberum.*

II. Universities should also be distinguished from ecclesiastical corporations. They are now allowed to be civil

^a Corp. Stat. Univ. Ox. tit. 2. § 3. 6.

^b Stat. Acad. Cant. Senat. Decret. de Oppugn. Eccles. Anglicanæ.

corporations^c. Let the church, while it retains its present form, be subject to ecclesiastical restraints. Let, No entrance for heretics, be written on the church porch. But should societies, united for civil purposes, be confined by ecclesiastical ordinances? We may as well force trade and theology under the same yoke, as literature and theology. And if some literary institutions are thus limited, Why are not all? The royal society was founded for the advancement of natural knowledge; the antiquarian for the elucidation of antiquities; the college of physicians, for the encouragement of physic. But, Would it not be amusing, to have none admitted members, and to allow none to enjoy the benefit of those institutions, but subscribers of 39 old fashioned articles? There is no greater propriety in a university's requiring such a test. As the former corporations should be accessible to members of the same political community, so also should the latter.

III. Further, the pursuits of literature differ also from the concerns of civil government. There are certain principles essential to the support of a good government; and all engaging in its service ought undoubtedly to possess them. Otherwise, the very men, whose duty it becomes to protect government, and to administer to its wants, would direct all their influence to subvert it. It would certainly be impolitic in the king of great Britain, to advance men to his privy council, or in a corporation to choose a mayor, or in a borough to appoint a representative, who would defeat the very end of their appointment. Yet, whenever it shall clearly appear, that the political sentiments of a people have been misrepresented, as in the case of the protestant dissenters, or, that if they once held

^c Blackstone's Comment. l. 1. c. 18.

maxims, destructive to a particular state, they have since relinquished them, as in the case of the catholics, the way to civil employment should immediately be left open^d. But the true object of universities, is the promotion of literature. It might, therefore, even happen, that men, unqualified for several departments in the state, might, with the greatest safety, be admitted to academical employments. The quaker, for example, will not bear arms. He unfits himself, therefore, for military honours; his religion not suffering him to receive them. Here government need not interpose. Suppose another to hold, that a foreign power hath a right to the crown of England. Here government might justly interfere for its own safety. The various parties, which I have introduced, are capable of giving government, what ought to be deemed a proper security; and what every just government would esteem such; (though if there be some fore parts in our constitution, which can hardly bear touching, and some corrupt parts in administration, which are mere putrefaction, the complaints of the dissenters are to be charged to the account of those evils, from whence they proceed): the state may, therefore, safely tolerate their religion, and ought in justice to admit them to those civil employments, which they can conscientiously hold. But, supposing the worst, that they can give the civil magistrate no security: this consideration need not affect universities. For while the civil magistrate is the executor of laws, which have a relation to the nature, and principle of our government^e, he hath a permanent security in his own hands. The disaffection of academics, therefore, could introduce no disorder. Plato's

^d Paley's Principles of mor. and polit. philosophy, l. 6. c. 8.

^e Montesquieu, De l'esp. des loix, l. 1. c. 2.

famous remark will not only apply to his ideal republic ; it is applicable to every good government in the world : “ Nothing should be appropriated to individuals further, than the public necessity requires †.” Plato, indeed, directs the remark to private property, where the application of it will be liable to innumerable objections ; but when applied to the common privileges of citizens, it may be received as a general maxim.

The more seriously, then, I consider the origin of those rights, which are incident to our nature, the proper end of civil society, and the liberal spirit, which, in conformity to that end, should pervade a university, and the more dispassionately I propose the question, How far is the establishment of creeds at our universities consistent with the just pretensions of our nature, the more clearly I perceive on which side the answer should fall.

I must call it an infringement of our just rights : and at Cambridge, I would remark, that it took its rise from a quarter ; which makes it look with an unfavourable aspect. James the first was an enemy to civil and religious liberty. Natural liberty too was severely taxed by his arbitrary hand. According to him “ A king was God’s vicegerent ; monarchy was a partaker of the unity, an imitation of the Deity ; a king at his coronation became by natural right the father of his subjects ; and man had no rights, till he received them from royal hands. He was to obey the just commands of majesty with alacrity ; but against those which were unjust, he had no resource, but in sighs, and prayers, and tears, according to an adage of the primitive church, when under oppression,

† Πρῶτον μὲν ὅστις ἀνθρώπων οὐδενὶ μὲν ἰδίῳ, ὃν μὴ πᾶσι ἀνάγκη. Plato de Rep. l. 3.

Prayers, and tears are the arms of the church^g.” These are his majesty’s words. Agreeably to these principles James treated his subjects. Sometimes they are his poor slaves, and sometimes his little school-boys; while he himself is the absolute monarch, or the school-master of his realms. It was but in the last century, that the university of Cambridge imposed subscription on taking degrees^h; when a grace was passed at the command of that simple monarch, a man, whom unflattering posterity has long since stripped of his glorious title, Solomon, and formed one more suited to his character, James the tyrant; and a man, who could give his son Charles such advice as this, when speaking of a large body of men, most justly deserves it. “Do not suffer these men, said he, if you resolve to live in peace, to enjoy the same country with yourself, unless for the sake of trying your patience, as Socrates did his wifeⁱ.”

It is not foreign to this Inquiry to ask, Shall we hold graces sacred, which were passed to humour the private piques, and interested views of a pedantic tyrant? We had natural rights before James the first left Scotland; and why have they not been restored to us?

I make no remarks on the inconvenience into which theological inquirers betray themselves by an attachment to established systems; on the awkwardness with which a young mathematician, unpractised in divinity, surveys 39 articles; on the little connection between the materia medica, and church discipline, or on the relation of crotchets

^g *Preces et lachrymæ sunt arma Ecclesiæ. Jacobi op. Jus liberæ monarchiæ.*

^h *Stat. Acad. Cantab. Literæ regiæ.*

ⁱ *Nec patere, si pacate vivere decreveris, ut hi eadem tecum patria fruantur, nisi forte experientia ergo, ut Socrates vixit cum Xantippe. Jacobi op. Διῶγον Βασιλικόν.*

and quavers to the five points^k. Some shrewd questions have, however, been frequently asked on these subjects. But this Inquiry leads me to put a plain question: Why is such a yoke, originally imposed by such a man, as James the first, still submitted to by a learned body? Is not subscription on such terms an invasion of a natural right? It argues nothing, whether I be a disciple of Boerhaave, of Coke, or of Handel; whether I resign myself to mathematical investigation, or metaphysical refinements. To admit men to public encouragement on such terms, is, indeed, *Δαρεν ουδωθεν* to deprive those of it, who will not subscribe, is to debar them of the rights of men, and of citizens. Why are our natural rights invaded?

^k When I speak all along of subscribing to the 39 articles, let it be observed, that the three darling articles of James, (that is, the three articles mentioned in the 36th canon) which are subscribed at Cambridge for a bachelor of divinity's degree, and for a doctor's in any faculty, divinity, law, or physic, include all the 39 articles. The three articles are as follow.

I. That the king's majesty, under God, is the only supreme governor of the realm, and all other his Highness's dominions and countries, as well in spiritual, or ecclesiastical things or causes, as temporal, and that no foreign prince, person, prelate, or potentate hath, or ought to have, any jurisdiction, ecclesiastical or spiritual, within his majesty's said realms, dominions and countries.

II. That the book of common prayer, and of ordering of bishops, priests, and deacons, containeth nothing in it contrary to the word of God; and that it may lawfully be used; and that he himself will use the form in the said book prescribed in public prayer, and administration of the sacraments, and no other.

III. That he alloweth the book of articles, agreed upon by the archbishops, and bishops of both provinces, and the whole clergy in the convocation, holden at London in the year 1562; and that he acknowledgeth all, and every the articles therein contained (being in number 39, besides the ratification) to be agreeable to the word of God.

We whose names are underwritten do willingly, and ex animo subscribe to the three articles before-mentioned, and to all things in them contained. Excerpt. e Stat. Acad. Cantab. p. 25.

CHAP. VII.

OBJECTIONS ANSWERED.

SOME, I know, will be forward enough to object, that these rights are imaginary; that, all we can claim of civil society, as a matter of right, is protection; that every thing beyond this is to be received as a reward^a. I have already provided against this objection; but will just add, that “every good citizen is capable of reward:” and, that it is repugnant to natural justice, to disqualify any individual, of that character, for receiving it. Those states were always held in admiration by the sages of antiquity, in which public encouragement was wont to be impartially bestowed on the useful virtues^b. As to those who acknowledge, that the rights here asserted are not imaginary; but who notwithstanding think, that some sentiments, though just, may yet be too refined for the present state of society, they will recollect the saying of an elegant philosopher; “There are certain speculative truths in politics, which the world is not yet old enough to have the knowledge of.” It is to be lamented, that one, so consistent with natural justice, and so connected with public happiness, should have been thought of this kind, in so enlightened a country, as Britain. Some states have here got the start of us. As we grow older, we too shall grow wiser.

^a Warburton's Alliance, l. 2. c. 3.

^b Ἀρετὰ γὰρ οἷς κενεὶ ἀρετῆς μέγιστα, τοῖς δὲ καὶ ἀνδρῶν ἀρίστοι πολῖτευοσι.
Thucyd. in Epitaph.

^c Hume's Liberty.

But it is also said, that society must submit to prudent restraints, and political regulations; that a subordination in government must be steadily maintained; and, consequently, that a state should have a just and permanent security. To this I reply, that a government founded on the immutable principles of impartial justice and equal liberty, will find security in its very constitution: but, Is swearing to the truth of the 39 articles either a natural, a just, or a permanent security? Let a state make its own laws; let the laws, and not men, govern; let government be made its own security, by becoming the guardian of the social compact^d; by presenting, with an unsuspicious hand, its just privileges to the whole society; in a word, to accommodate the maxim of Plato's to our present subject, Let no exclusive privileges be enjoyed further, than the public necessity requires; let this, I say, be done, and it will be found a general truth, that the safety of a state, and the prosperity of a university, have no dependance on religious tests.

As to civil government, should I acknowledge, that those, who engage in its service, should be capable of giving a civil test for security; I should still contend that a civil will supersede a religious test. But even here the truth seems to be, that a government whose legislative and

^d Some excellent political writers have refined too much (it has been said) on this "compact." However, all government ought to be regulated by such principles, as a mutual consent would certainly establish. Mr. Locke has given several examples of people, who set up a government over themselves by their own consent. On Gov. b. i. c. 8. and justly observes, that "this, and this only did, or could give beginning to any lawful government in the world." The English government was thus settled at the revolution: though the parliament by faithfully submitting themselves, their HEIRS, and POSTERITIES for ever, did certainly exceed their powers. This clause of the declaration, therefore, is binding no longer than the nation chooses.

executive powers are properly organized, whose principles are accurately defined, and whose laws are wisely directed, would require none of those tests, which perplex modern governments. However, societies united for the advancement of literature, certainly require none, either religious or civil. If any be necessary, they should, in fact, be of a literary nature, like that over Plato's school^e. "Let nobody enter, who does not understand geometry." When I contemplate the evil of religious tests, I feel horror! When oaths are taken to serve a present interest, and falsehood receives the compliment of truth, our natural sentiments must be opposed, and we shall discover in the issue, probably, that we have been doing wrong. What will be the consequence? The most sacred engagements will lose their force. We may, indeed, have subscribed, and ratified our subscription by an oath. But beginning to perceive, that subscription was an imposition, our oath will pass for a matter of form, a trick of priestcraft, a political manœuvre, a bugbear, a nothing. We break our shackles, and we are free.

What the incomparable Beccaria says of oaths, "administered to a criminal, to force him to speak the truth," will apply to oaths, which allure people to profess falsehood. "Such laws are like a dike, opposed directly to the course of a torrent: it is either immediately overwhelmed, or by a whirlpool, formed by itself, it is gradually undermined and destroyed^f." But a civil test, where necessary, has nothing unnatural in it. It will be given without fear, and may be relied on without hazard. But even here let us be sparing of oaths. Voltaire remarks of the celebrated patriot, who planted Pennsylvania, that

^e Οὐδεις ἀγεωμετρητος εἰσέρτω.

^f Essay on Crimes and Punishments, c. 18.

“his first care was to make an alliance with his american neighbours; and this is the only treaty, continues he, between those people, and the christians; that was not ratified by an oath, and was never intringed³.” I am also persuaded, that there are no sincerer friends to government; none more ready to give every proper security for its support; none who experience a warmer attachment to polite literature; none who feel themselves more interested to promote the true honour of our universities, than those, who wish to have subscription abolished^b.

But it will be further objected, that a university is a corporation, and of course invested with certain rights and capacities, necessarily and inseparably incident to every corporation; that with these claims natural rights have no connection; and that the power of a corporate society to make terms of admission is indisputable, by virtue of its power to make by-laws for its government.

I have already remarked from Blackstone, that our universities are not ecclesiastical, but civil corporations, and that the right of visitation does not arise from any principle of the canon law, but was of necessity created by the common law¹. It is granted, that a university may, as well as other corporations, make by-laws, but those laws

¹ Voltaire's Works, v. 17. Hist. of the quakers.

^b Jebb's Works passim, and Friend's Thoughts on subscription.

Of the Dissenters I would just observe, that in the year 1772, when the bill was brought into the house of commons, for their relief, it passed without a division: though afterwards rejected in the upper house. Many just and liberal sentiments were delivered by the commons, in favour of the claim; it was maintained “that the english history abounded with examples, which shew them to have been excellent citizens; and to have been a loyal, and dutiful under good kings, as they were firm in their opposition to those tyrants, who wanted to overturn the constitution.” An. Reg. vol. 15. c. 8. Other testimonies no less honourable have been since borne to the principles of the dissenters.

¹ Blackstone's Comment. b. 1. c. 18.

should

should not be repugnant to the spirit of the common law, and to the nature and principle of our government. By-laws of any particular community are to be measured by the law of the land, in the same manner, as human appointments should be conformable to the law of nature, the principle of every particular government^k, and the positive laws of scripture^l. Now in every instance, wherein the canons of the church, or the statutes of our universities, invade the rights of mankind, they oppose the design of the common law, which is to guard them.

A theologian, I am aware, will be ready to object, that it is necessary to guard and secure the true faith. And, Can there, he will say, be a more probable way of gaining it respect, and ensuring its success, than to force it, as it were, gently on the public notice? To make it the interest of men to receive it, and a disadvantage to reject it? If natural, or social rights are in a small degree encroached on, and some individuals become sufferers, may not the benefit of society at large, involved in the interest of truth, demand such a sacrifice? Will not the importance of christianity justify the suppression of heresy? Is not more gained on the side of religion, than is lost on that of liberty? And, What serious man will grieve to see the standard of orthodoxy placed in an inviting situation?

Alas! Ye learned doctors^m, I tremble for divinity! This cautious mode of propagating truth, this anxious concern in guarding the faith, create in my mind some unlucky suspicions. What kind of truth must that be, in

^k Montesquieu, l. 1, 2.

^l Hooker's Eccles. Pol. b. 3. 9.

^m Rutherford and Waterland.

the promotion of which such caution is required? And, Can faith be secured, by suppressing the exertions of reason? Father Fulgentio was once preaching on Pilate's question, "What is truth!" he told his hearers, "that, after many searches, he had found it:" and held out a new testament. He then put it in his pocket with this sly remark—"But the book is prohibited".^a The Japonese, and the inhabitants of Siam will not dispute about religion. Do not they act more rationally than some christians? We dispute, indeed, but we must draw no conclusions. The true faith must be "secured".^b

When Dr. Rutherford was regius professor of divinity in the university of Cambridge, Mr. Tyrwhitt of Jesus college proposed four questions for discussion in the divinity school. The grave professor was much alarmed, and actually refused to let the questions have a public hearing.^c Whence did this proceed? Doubtless, the doctor thought himself, in the divinity school, one of those superintendants and governors, who to use his own words, "are to secure and promote, as far as they are able, the true faith and doctrines of the gospel".^d

But, the question of orthodoxy I leave, for the present, in the hands of divines; just hinting what I have sometimes heard whispered. It argues little, what you propose to men; whether the koran, the shaster, or the gospel. Is it necessary for the establishing of your scheme, to deprive men of any of the benefits of civil society? We will undertake to prove, that your dogmas cannot be true, nor

^a Robinson's Arcana, let. 3.

^b Rutherford and Waterland.

^c Jebb's works, vol. 1. p. 31. notes.

^d Confessional Pref. to 2nd ed. p. 31.

come from the common parent. This I think justly said. For as there is a primitive reason[†], from whence proceed those relations, which constitute law; there are also rights, prior to any form of religion, which are the foundation of liberty. Christianity, we might say, does not violate those rights, and this is one argument in favour of that religion: but, as some called christians do, whatever we think of christianity at large, we draw conclusions against their systems.

But, it seems, dissenters of all denominations would flock to alma mater, if we removed subscription. This is what I contend ought to be: and this it seems, is, with some, the grand objection[‡]. Pitiful and ill-judged policy! Characteristic of priests and monks, rather than of men of the world. From the time of king James, non-conformists have been treated in England, as the Lydians were by Cyrus. Herodotus tells us, that the Lydians first turned gold and silver into coin[§]. With this gold they corrupted the Persians. Cyrus, it is true, aimed to humble them, by confining them to servile employments. In like manner, the high church party thought to sink the consequence of dissenters, by keeping them ignorant. But Cyrus, and the high-church party were both alike mistaken. The Lydians corrupted the Persians with their gold; dissenters, too, by being forced into a situation, more favourable to free inquiry, are now taking the lead in literature; and have got possession of those principles of liberty, and civil government, which must, in a revolution of years, undermine the fabric of oppression.

[†] Hooker's Eccles. Pol. b. 1.

[‡] Friend on Subscrip.

[§] Herod. lib. 1.

Sed Cantaber unde

Stoicus? —————

Nunc totus graias nostrasque habet orbis Athenas,

De conducendo loquitur jam rhetore Thule^u.

I cannot help observing here, that the laws, which relate to education, are also extremely oppressive to catholic dissenters. I have grieved, that while a legal toleration hath afforded relief to some protestant dissenters, no such relief has yet been afforded to english catholics: that the laws, which relate to catholics, should in a free country be directed to perpetuate ignorance on their children^x: that our laws should refuse catholics those privileges, which many catholic states now allow british protestants. Yet have I seen with pleasure, that the justice of mankind indulges them in privileges, denied them by the laws. I have also been taught, from the examples of protestant dissenters, and of catholics, that universities are not essential to literature, and that the exertions of industry have a vigour, which will not be borne down by unjust power.

In answer, however, to this formidable objection, the history of mankind tells us, that while public justice and liberality give health to nations, the hand of oppression weakens and destroys them. The Romans were con-

^u I mean not to intimate, that the charge of ignorance, brought against dissenters, was ever justly founded. Among the ancient puritans were many as good scholars as England could boast; and when the most circumscribed in regard to literature, dissenters always had among them many distinguished men.

^x The being debarred our universities, is a trifle, compared with other acts of injustice, which affect catholic dissenters. 23 Eliz. cap. 1. 1 Jac. I. c. 4. 3 Jac. I. c. 5. 3 Car. II. c. 2. In the eighteenth year of his present majesty, one law was repealed, which had precluded them from the enjoyment of landed property, but they are still left by our laws under a cruel proscription in regard to education.—Since the publication of the first edition of this book, the catholics have been placed in the same condition as the protestant dissenters.

querors,

querors, and frequently admitted the vanquished to the liberty of freeborn citizens, and they became one people^r. The government of the chinese provinces, as baron Montesquieu hath also remarked, is equally divided among the Chinese and Tartars. The same œconomy prevails in their courts of justice. This liberality was true policy. It removed suspicion; it diffused confidence; it promoted benevolence. The Tartars thus secured their conquest; and China, by its very defeat, gained an addition of strength.

And shall we treat Britons as ALIENS IN THEIR OWN COUNTRY? Christians, let us not blush to receive some just maxims from pagan heroes! Their prosperity was a comment on their policy. Let us too from more modern examples learn, that an appropriating spirit hath an inconceivably bad influence on the interest of civil society. The conduct of the oppressed manufacturers in the Netherlands, and of the Huguenots in France, who enriched rival nations with their manufactures, while they impoverished their own, the measures also adopted by the english non-conformists, together with their subsequent fortunes in America, have a warning voice, which says, Injustice is not political wisdom.

The truth is, that the disorders of individuals will be rectified in a future state. But empires are not immortal. Their fortunes, therefore, are weighed out to them in the present world. The common Father holds the scale of justice with impartial hands, and appoints, that political strength shall be weighed out to nations, in proportion to their political rectitude. In the rise and fall of empires the philosophic eye traces this truth. They

^r Livii hist.

were golden days with Rome, when it could be said of her,

Quos domuit, nexuque pio longinqua revinxit.

But when, under her emperors, by her proconsuls she plundered her provinces, and by an abandoned soldiery she harassed her own citizens, her glory fled, and she hastened to ruin.

I further reply to this objection, that our present restrictions not only affect the polity of a state, but the progress of the polite arts. If we wish literature to appear with true dignity and ease at our public academies, Why do we confine her walks, and load her with shackles? What a strange decision was this of the synod of Arles in France! "Professors of philosophy in handling physical or metaphysical questions, which have a correspondence with divinity, shall take care, that they so do it, as not to injure in the least the principles of our true religion, which principles shone forth in the writings of those famous divines, whom the Lord raised up to kindle in the last century the flambeau of the gospel in these and the neighbour nations^z." That is, our professors shall keep within the circle of calvinistic orthodoxy.

Is our Oxford statute less exceptionable? Item, it is ordained, "that no professor, or public lecturer, directly or indirectly teach, or in laying down positions assert any thing, which in any measure opposes the catholic faith^a." That is, they shall say nothing, which in the least contradicts the articles of 1562.

Other examples, beside those of Galileo, and two french editors of Sir Isaac Newton's works, prove, that established

^z Quick's Synodicon, vol. 2. 23d Synod. c. 15.

^a Corpus statut. Oxon. t. 4. f. 2.

formularies of faith have suppressed the discoveries of human science; and innumerable instances might be produced of their evil influence on rational theology. As a specimen of this tendency, I will lay before the reader Mr. Tyrwhitt's questions^c; referred to page 44, suspecting with Dr. Disney, "that the rejection of them rather argued some distrust of certain opinions gaining converts by an open discussion of them."

And further still, if we wish to see learning spread refinement and humanity through a nation, Why do we make her wear a partial appearance? I have, indeed, already been led to remark, that the exertions of industry have proved too strong for the arm of oppression. But, while such exertions reflect honour on the injured parties, Do they not justify complaints, which proceed from men, experiencing the severity of these impolitic restrictions? Do we conceive, that liberality is profusion, or, that even to do justice to individuals would injure a community? Surely examples might be produced, to shew, that an impartial distribution of literary advantages neither tarnish the lustre of science, nor debase political wisdom.

But we stand too near to see ourselves: and I am sorry, to be forced to look beyond the banks of Isis, and Cam, for such laudable examples.

Among the ancient Romans, then, after their youth had been prepared by a domestic education, and had put on the

^c I. Preces christianorum ad Deum solum, patrem Jesu Christi dirigendæ sunt.

II. In cætum christianum recipiendi sunt, qui Jesum pro vero Messia agnoscunt, etsi illum vel Deo longe inferiorem, vel etiam merum hominem esse credant.

III. Lex christiana æternis pœnis non sancitur.

IV. Nullum fidei christianæ dogma in sacris scripturis traditum, est rectæ rationi dissentaneum. *Memoirs of the life of Dr. Jebb, prefixed to his works, p. 37, by Dr. Disney.*

“manly gown,” they were introduced into the forum, and entered on the practice of pleading. This was done at the age of seventeen, and with all imaginable solemnity, but without either oaths or subscriptions^d. The athenian youth, indeed, took an oath of obedience to the government, and the religion of their country^e, but the oath was very different in its nature from that administered among us, nor was it taken at their places of literature. Among the ancient Persians, none were excluded by law from honours and civil offices: all might send their children to the public schools of justice, and all might advance through the different orders of children—of youth—of men—and of old men.—Such was their civil œconomy, adds Xenophon, in the practice of which the Persians think they have the greatest excitement to become eminently good^f. This polity was attended with no inconvenience to these governments, nor did it weaken the authority of literature.

Fas est et ab hoste doceri.

Let us take a comparative view of this affair in new and old England. “In new England, where the legislative bodies are almost to a man dissenters from the church of England. I. There is no test to prevent churchmen from holding offices. II. The sons of churchmen have the full benefit of the universities. III. The taxes for the support of public worship, when paid by churchmen, are given to

^d Cicero de oratoribus.

^e Johannis Stobæi sentent. Sermo. 41, page 243, ed. Lugden. Warburton has quoted this oath with an air of great triumph; but I shall shew elsewhere, that it was not a case in point, and that the doughty champion shouted victory too soon.

^f Xenophon. Κυρ. τριβ. α. p. 13. Hutchinson, ed. 4.

the episcopal minister.—I. In old England dissenters are excluded from all places of trust and honour. II. The benefits of education in our universities are appropriated to the sons of churchmen. III. The clergy of the dissenters receive none of the tithes, paid by the people, who must be at the additional charge of maintaining their own separate worship.” That jealousies, and suspicions subsist among the different parties in old England by such narrow policy, is incontestible. But the inhabitants of new England tell us, that no public disorders proceed from their regard to private liberty^s. The common rights of the different sects both in new England and also in Philadelphia, are guarded by civil government, and yet political confidence is not weakened, the public peace is not interrupted, commercial pursuits are not retarded, the principle of morals receives no shock, nor does literature, by being made common, sink into contempt.—Scotland too has vastly the superiority over England. An access to civil employments in Scotland not being made through the medium of sacramental tests, nor is subscription the price of degrees at its universities, though it is for ministerial ordination. And whether the scotch universities have of late years pursued literary researches with less spirit than our own, I leave to the decision of the candid and truly learned in both our universities.

In Ireland too no sacramental test is required for civil employments. The test act was repealed about fifteen years ago, and we are told from respectable authority^h, that, when a regular plan was formed for the overthrow of the national church, its very existence, in a measure, was

^s Vid. Dr. Franklin's miscellaneous works. A Letter in which the state of toleration in new and old England is compared.

^h Bishop of Cloyne.

owing to the conduct of the dissentersⁱ. Thus too would a university increase her strength, and extend her reputation, as she opened her arms to people of all denominations. The university of Dublin, I am informed, requires no subscription.

There are, I am convinced, many liberal and respectable men in both our universities, who, on the most mature deliberation, have avowed sentiments similar to these. It is not Mr. archdeacon Paley only, who would acknowledge, “ that subscriptions perpetuate the proscription of sects, and tenets, from which any danger has long ceased to be apprehended.” These men with large views, not to be confined by partial and antiquated articles, have not been backward to make liberal concessions in favour of some disqualified persons; concessions, which have reflected higher honour on those who have made them, than on those, who have frequently received them. But they feel themselves in embarrassments and difficulties, against which they see no remedy. Here then an objection has been started, which appears to me the capital one, from the very nature of our university establishments, and the terms of our college statutes. What can we do, it has been said, with institutions, confined by the express restrictions of the original benefactors? We wish our terms of admission were more generous; and that not being incumbered with the crude imperfections of antiquity, they might conform to the maxims and manners of a more enlightened age.—Yet, Can we deny, that our ancestors might divert their benefactions into what channels they pleased, and confine them by bounds of their own raising? How

ⁱ The Right of the protestant dissenters to a complete toleration asserted, part 2. c. 6.

can we suffer them to take a course, which the founder's limitations do not allow, and thus violate statutes, to which we have sworn obedience? These persons, improved by the liberality of a more refined age, are themselves superior to the peculiarities and partialities of their more barbarous ancestors. But the statutes are unmanageable, they cannot repeal them.

This I call the capital objection; yet is it not so general, as to admit of no exceptions. Indeed, it ought only to apply to those, who are candidates for college favours. These should be disposed to comply with the terms laid on them by the founders, or not offer themselves candidates for their bounty. But many, it is clear, retire to our places of literature, who ask no college favours, who court no university preferments. Being sent there with a view to prepare them for public life, all that is solicited for them of a college, is a free participation of literary advantages, all that is asked of a university is the recommendation of a degree; and a request so moderate and so reasonable should, surely, be subject to no restrictions whatever.

As to the statutes of particular colleges, whether drawn up by the immediate hand, or under the particular direction of their respective founders, or left to the discretion of surviving trustees, they would naturally follow the pleasure of those particular persons, and wear the complexion of those imperfect times in which they were framed. But even these statutes will not be allowed to have so binding a force, as to suffer no variation from their original strictness. They must share the fortune of other statutes, and canons, which through the variableness of times, of people, and of customs, must either fall intirely into disuse, or submit to an interpretation, which the age can bear. Thus only can foundations keep time with those improvements,

which our ancestors could not foresee, and against which they could make no provision. A statute of one of our colleges, founded in the times of popery, runs thus, "Fifthly, you shall swear, that when the name of the founder or foundress are repeated, you shall pray for them in particular, and for the foundress and benefactors of the same college, in returning daily thanks." In the former part of this clause the doctrine of purgatory is implied, the popular doctrine in Henry the 6ths reign, but now generally disbelieved among us, as protestants. Notwithstanding this statute, the president and fellows do not hold themselves bound to pray for their foundress; nor would, I conceive, if even the legislature had made no provision for them, though, in returning daily thanks, they will feel gratitude for her favours.

On these considerations, though, with my present sentiments, I would not be a candidate for college favours, yet if had I really enjoyed any, no subsequent change in my religious opinions, though directly opposite to the doctrines of the church, and even incapacitating me for attending college worship, would have disposed me to relinquish them. "When the sentiments and customs of a people change, the laws also should change." Church preferment, if I had held any, I would certainly have resigned. But surely, it is not the current opinion of 1792, that men should lose their rank in civil society for religious speculations.

Numerous laws are the natural effect of freedom. For changes are perpetually making in the customs, opinions, property, and religion, of nations, which require the assistance of legislation: and where there is no arbitrary influence, they will receive it. But happy are those institutions;

institutions, which in their original foundation are subject to few laws! Painful experience having taught mankind, that it is easier to frame laws entirely new, than to remove ancient prejudices.

CHAP. VIII.

ON IMPROVEMENTS THAT MIGHT BE MADE IN OUR UNIVERSITIES.

HERE I meant to have closed this view of my subject: but I must trespass on the reader's patience a little longer. I would observe, then, that what has been hitherto advanced on universities, proceeds on this principle, that all their privileges, and emoluments, of whatever kind they are supposed to be, should be accessible to the public at large.

For it is doubted, I know, by some, men too of no mean figure in the literary world, whether degrees are of any importance to real science. The honours conferred in the schools, and at our public examinations, the premiums also assigned to particular exercises, when bestowed with impartiality, have, indeed, acknowledged advantages. But no proof of merit, they affirm, can be collected from a mere degree. "The foolish exercises, performed in the public schools at Oxford for a bachelor and master of arts degree are well known to be too ridiculous to deserve a se-

ious censure^a." A very capable judge hath, indeed, remarked, that there is no university in Europe, where the first degree is obtained so honourably, as at Cambridge^b. This is, I suppose, in general, true. The remark, however, must be received with some allowance, and will certainly not apply to the degree of master of arts; and, indeed, it cannot be denied, that even the highest degree, in divinity, so called, may be, and is frequently, procured with very inconsiderable attainments in literature.

Public annual examinations still continue to be the wish of many persons, of the first consideration in letters. It cannot, they think, be denied, that some such plan of reform, as that proposed by Dr. Jebb^c, would tend to awaken a spirit of emulation, to promote a uniform tenour of application, and to afford a truer estimate of real merit, than the partial and ineffective systems of education, pursued at present in both our universities.

I have also heard it questioned by some well affected and judicious tutors, whether, on the whole, our fellowships in their present state are not to be considered as an evil in academical life. It being their judgment, that if our seats of literature were occupied only by effective men, such as tutors, professors, and masters, or such only, whose talents and inclinations led them to literary researches, which might benefit the community, that our discipline would be more simple, the progress of literature rendered more easy, and the morals of the students less exposed to danger. It has been wished too by others, that more employment

^a Knox's Essays, N. 18. 77.

^b Bp. Watson's Preface to his theol. tracts.

^c Remarks upon the present mode of education in the university of Cambridge, with a Proposal for its improvement. Jebb's Works, vol. 2. p. 260.

might be assigned to professorships (some of which are mere sine-cures, though others, I acknowledge, find respectable employment), so that our youth might not be obliged to be hurried to inns of court, (where there are no assistances for directing the application of students) or to reside in foreign or scotch universities^d. To say nothing of that appearance of ancient monkery, which these appointments now wear, and of their tendency to suppress exertions, which render men useful and conspicuous on the theatre of public life.

It is obvious, indeed, that as universities originated in the times of popery, and were formed out of schools, which were under the immediate patronage of monastic institutions^e, they will retain some vestiges of ancient superstition; and that as they were afterwards incorporated, they will still carry the remains of aristocratic partiality; defects, which, when the time of complete reformation arrives (and such a reformation sooner or later our universities must undergo) will receive, no doubt, a radical cure. I have also heard it questioned, whether the making of christianity a disputatious science tends not to weaken its authority, and has not produced the same effects in christian

^d There are now no lectures given, and no public exercises performed at our inns of court. I say now, because formerly they were kind of academies for educating the nobility and gentry. But as the rivalry which once subsisted between the universities, and inns of court, have subsided, and the animosities arising from their different regards to the civil and municipal law no longer exist, our inns of court have strangely degenerated. "The whole care of education," as a judicious writer observes, "seems to be devolved on the cook, and the only remaining part of the ancient regulations is, that the student shall eat his commons for a certain number of terms." Millar's Hist. View of the Eng. government, p. 466. It should be noted, that though till the time of Mr. Viner no encouragement was given to the study of the common law in either university, yet now there are professorships in both.

^e Millar's Hist. view of the Eng. government.

states, by transforming christianity into philosophy, as it did in the first christian academy in Alexandria^f.

But it does not fall within my province to intermeddle with defects in discipline, or to propose schemes of reformation. Yet to plead the cause of impartial justice, and of equal liberty is the duty of all. And whether degrees, bestowed as they now are, be considered as necessary distinctions, to ascertain the different standing of members in collegiate life, or as kind of certificates to the world of a person's having been called to a liberal profession, and in whatever light we view our fellowships, whether as compensations for the expence of a learned education, as affording calm retreats for men of scientific minds, or as rewards for personal virtues, whatever view, I say, we take of fellowships, I must still contend, they ought not to be appropriated to one party, nor to be subject to the law of subscription.

And could no policy be adopted by our learned bodies, more generous in its intentions, and more permanent in its effects, than what hath hitherto been practised? Surely there might; though I fear, it could not exert itself within our present college walls. But a UNIVERSITY is possessed of an extensive authority, and enriched with ample endowments: and if a spirit, emulous of great undertakings, pervaded its members, might effect the noblest purposes. If a university, as it admitted new light, were disposed to rectify ancient mistakes, the legislature would be ready to give its support: and, in time, there might be effected a truly generous discipline, proving, how far institutions founded in justice, and directed by benevolence, would bless a nation.

^f Robinson's Hist. of baptism, c. 24.

Some corporate societies it would be political wisdom entirely to abolish. In ancient times, borough corporations formed a useful barrier against the tyranny of domineering barons. But they are now not only useless, but very injurious to civil liberty^g. These are scarcely susceptible of any generous reform. But our academical establishments are capable of very useful improvements, though, in their present state, exposed to the censure of being “mere fortresses for the church^h,” and must, proportionably, stop the current of public liberty. Of this we have a singular example, not only in the appropriating spirit, securing collegiate emoluments to churchmen in England, as well as in the partial attention paid to the irish and scotch universities. For though persons, who have obtained a degree in the former, may be admitted *ad eundem* at Oxford and Cambridge, no such indulgence is shewn to the graduates of the latter. The partiality of our universities might also be exemplified in the treatment of some of their own membersⁱ.

By what means, at what period, and by what persons such revolutions shall be effected in the sentiments of mankind, and whether foundations arising out of such enlarged sentiments will be improvements of ancient models, or, as it were, edifices entirely new, formed of modern materials, and reared by original workmen, it would be rashness to decide. Yet will I hazard a conjecture, that the men,

^g Lately exemplified in the borough of Cambridge. See a pamphlet entitled *Reflections on the contentions and disorders of the borough of Cambridge*.

^h Dr. Price.

ⁱ Locke at Oxford, and Whiston and Frend at Cambridge. Though in regard to Locke and Frend, they are to be considered as the acts of private colleges, and not of the university at large. See the *Biog. Britannica*. Article Locke, and the appendix to *Frend's Thoughts on Subscription*. 2d ed.

whom

whom providence will raise up to be the instruments of its benevolent designs, will not be selfish in their tempers, narrow in their judgments, violent in their passions, or ambitious in their projects. They will be lovers of truth, and capable of making those sacrifices, which she demands of her friends: aiming to be the patrons of mankind, rather than the leaders of a sect, they will be attached to every being, susceptible of reason; they will reverence human nature. Far from being promoters of confusion in society, they will aim to rectify its disorders, and to enlarge its comforts; they will be studious to promote good order, mutual harmony, and political strength: in a word, they will be men, who will love their brethren, fear God, and honour the king^k.

This subject, I am convinced, very intimately concerns the interest of society, and would give exercise to the most respectable abilities. What I can say is very far beneath the importance of the subject. But sentiments have been delivered by different writers, deserving the serious attention of civil, and religious rulers. Rough and uncourtly as they may have frequently appeared, (for the language of patriotism is not wont to humour the expectations of the oppressor) this must be acknowledged, that the reasonings, which plead the cause of mankind are not the partial argu-

^k I would not be thought to insinuate here, that there is any particular charm in the name king, or that it necessarily conveys the idea of "our sovereign lord." I mean by the term, the supreme magistrate, by whatever name he is called, by whatever means he is appointed, or with whatever power he is invested by a nation. The supreme magistrate among the ancient Spartans, was styled king; at Athens the second archon was so denominated, though his powers were extremely limited. In Poland he has sometimes been chosen from among the people, yet he is styled king. And on the same principles, George Washington is as much king in America, as Lewis XVI. in France, as George III. of Great Britain.

See Sidney's disc. on gov. c. 3. l. 12.

ments of a dissenter against a churchman, or of a churchman against a dissenter, of a catholic against a protestant, or of an infidel against a christian, but the unsophisticating, and I think, the unanswerable plea of human nature against every domineering influence. For I am very much mistaken, if there be not a secret corner in the human heart, where sophistry cannot enter, into which, would we condescend to look, the present mode of subscription at our universities will appear abhorrent from the first principles of natural justice, and of common benevolence.

I add, that the circumstances of the times are a call to liberality. Improvements in politics, in natural knowledge, and in religion, gain ground in our universities. Several european states have been rectifying political errors. Generous experiments have been made by the Americans, in their academical institutions, and proved effective: and in England, the dissenters are now setting us an example of public spirit; “A fundamental principle of their new college being, that it will be open to people of all denominations¹.” But whatever encourages the hopes of the friends to reformation, will, in the issue, entail disgrace on those, who labour to retard it.

The principles of the first part of this Inquiry will be found to agree with those of Mr. Locke in his Treatise on government, and his first Letter on toleration. And if he had applied his reasoning to the present subject, he would have treated it, indeed, in a far nobler manner, but he would have come, I am persuaded, to the same conclusion.

¹ The Report, &c. at the close of Dr. Price's Sermon, entitled, *The Evidence for a future improvement in the state of mankind.*

PART II.

HOW FAR SUBSCRIPTION IS CONSISTENT WITH THE POWERS
OF THE HUMAN MIND.

CHAP. I.

IDEAS. THE OPERATIONS OF THE MIND, AND HOW
AFFECTED BY SUBSCRIPTION.

HAVING satisfied myself, that our present mode of subscription is inconsistent with the natural rights of mankind, I proceed to inquire, How far it is consistent with the powers of the human mind? My Inquiry hath hitherto been confined to the seats of the muses. It now takes the liberty of entering the hallowed walls of the church.

That the articles are not universally believed will not be disputed, and that reasoning men find very strong objections against them cannot be denied. Hence I collect one argument, at least, that the voice of reason is against them. Some, indeed, ingenuously give the articles up, as irrational and indefensible; while others are indebted to low sophistry; to make them wear any tolerable appearance. A turkish effendi, who had no objection to drinking wine with philosophers and great personages, once said to the lady of an english ambassador, “ The prohibition of wine

was good policy, and designed for the common people ^a.” Thus english effendis treat articles and creeds, they subscribe them, indeed, but leave the people to believe them.

The present question does not depend on any physical opinion concerning the human understanding. I shall have occasion, indeed, to make many free remarks on spirit, &c. in the course of my Inquiry, but shall at present decline speculations of this kind. For whether what we call mind be any ways connected with our bodies, or be the mere effect of a refined organization of matter ^b, or whether it be a spiritual agent, that can move wholly independant of the body; and whether ideas be the necessary consequence of sensations often repeated, and by their repetition making changes on the medullary substance of the brain through vibrations on the nerves, according to Mr. Hartley ^c, or be collected by the voluntary exertions of an immaterial substance, according to the popular notion: whatever I say, we determine concerning the nature of the human mind, and the immediate instrument of its motions, its powers and faculties will continue the same.

But it is of importance to observe, that all knowledge consists in the view, which the mind hath of its own ideas ^d

^a Lady Montague's Letters.

^b See both sides of this question stated by the learned editor of Chambers' Encyclopædia, Dr. Rees, under the article soul. As I have taken a decided opinion on this subject elsewhere, May I beg leave to propose here, whether by speaking of the mind or soul, as the effect or the result of organized matter, the objection of Dr. Clarke, directed against the opinion of the soul's being a material substance is not removed? For on the system of materialism the soul is not properly an existence, but an effect. Thought being to the organized matter what sound or music to a clock or musical instrument.

^c Obs. on man; p. 1. s. 1. prop. 4, 5.

^d Locke's Essay on the human understanding, b. 2. c. 1.

agreeing

agreeing or disagreeing, and that all our ideas must either proceed through the medium of the senses, or from the exercise of reflection: these being the original groundwork of all our future knowledge. Mr. Locke's manner of stating the matter will answer every purpose of this Inquiry; though I think with Mr. Hartley; that the ideas of reflection are but complex ideas of sensation, the latter being the elements of which the former are composed^e.

It is also of importance to note the various operations of the understanding, which are four. I. Perception. II. Judgment. III. Reasoning. IV. Method. There are also exercises distinguished by different names, such as remembering, abstracting, &c. which, however, will all fall under one or other of these divisions.

It will follow, that where we have no ideas, or perceive not wherein they agree or differ, we have no knowledge, and that to attain knowledge, we must have a capacity for it.

What, if it shall appear, that many things contained in the 39 articles lie out of the road of the human understanding? We may indeed multiply words, and indulge our fancies, but we can have no ideas. Have we distinct ideas under the term trinity? School-divinity, indeed, is frequently nothing but dust thrown in the eyes of the understanding, which keeps out real knowledge. I think it, therefore, well remarked by a learned writer, "Where too much divinity mixes with our logic, it is much if it hath any meaning^f." This remark will appear more true, in proportion as our divinity is more mysterious. Can I understand what is incomprehensible, or believe what is contradictory?

^e Hartley's *Obs. on man*, p. 1. c. 1. §. 2.

^f Baker's *Reflect. on learning*, p. 61. 3d edit.

From hence, too, it will follow, that, there is a kind of order, which the mind pursues, where we attain real knowledge; that, as there are different operations of the understanding, their places are also distinct, and their exercises successive, depending on each other; and, that an operation, the last in rank, cannot take place of the first. Thus we cannot form an accurate judgment, till we have a clear perception of ideas; we cannot reason with effect, till we have judged with precision: and till these previous steps be gone over, there is no place for method. From the doctrine of the trinity men reason to other doctrines: but first, it should be asked, Do they understand that doctrine?

It is evident, also, that the progress of truth may be quickened or retarded in the understanding according to the medium, through which we view it. The heavenly bodies appear larger through a telescope, than when viewed through the bare atmosphere, by the naked eye of the observer. Some glasses magnify, others diminish objects. And bodies may even appear of a colour directly opposite to their real one, according to the medium through which they are examined. Are the 39 articles a proper medium, through which to view the christian doctrines?

I observe, further, that every proposition is either true or false. If any number of propositions be true, and capable of almost mathematical demonstration; yet if they consist of metaphysical distinctions, and refined subtleties, without superior abilities, we cannot understand them; and, How then can we subscribe to their truth? For if truth in the understanding be called the agreement or disagreement of the ideas in our minds with the reality of things^g, where such perception is not, truth is not.

^g Locke, ut sup. vol. 2. b. 4. c. 5.

For however true a proposition be, and however clear a perception others may have of it, yet in regard to an understanding, where no such perception is, it forms no truth; and where we cannot connect the ideas, of which a proposition is composed, it is impossible to believe it. I speak not of theological mysteries.

Now that the contents of the 39 articles are of this kind, will be evident to every accurate inquirer, and is apparent by the practice of many young men of eminent learning. Before they thought themselves qualified to subscribe, Have they not found it necessary to adjust many metaphysical niceties, to settle many difficult points in polemical divinity, to ascertain many disputed particulars in the history of their own country? And sometimes, in order to determine the "rights of the church," Have they not been known to inquire into the nature, and precise differences of episcopal conventions, provincial convocations, diocesan synods, and provincial councils^b? Such is frequently the practice of candidates for orders, of such, at least, who are persons of serious thought and of upright consciences, and, of course, not disposed to subscribe "in the gross," which latter practice, however, I am sorry to say is too often the case.

Let us, for example, take that article, which asserts, "The church has power to decree rites and ceremonies, and authority in controversies of faith." Should we not inquire, whom we are to understand by the church? A question not very easily settled^c. Should we not also ascertain whether there be any rites and ceremonies, imposed by the Founder of our religion, of an invariable nature;

^b Wake's State of the cl. and ch. of England.

^c Robinson's Translation of Claude's Essay on the composition of a sermon, vol. 2. p. 262. notes.

and

and whether there be any, of themselves indifferent, left to the discretion of the christian church? Should not, too, the precise meaning of these judicial terms "power to decree, and authority" be settled? And finally, Should we not inquire, how far such power and authority may be exercised consistently with the precepts of scripture, and the laws of the land?

So again the nineteenth article asserts, "That the churches of Jerusalem, of Alexandria, of Antioch, and of Rome, have erred in the manner of ceremonies, and in matters of faith."

Before we can believe that proposition, Must we not be acquainted with all the ceremonies, and all the doctrines of all those churches, and compare them with the rule of truth, the sacred scriptures? Otherwise, How can we affirm, with sincerity, that all those churches have erred "in manner of ceremonies, and in matters of faith?" What a great compass of knowledge is necessary to the belief of this proposition, "general councils have erred!" "The eastern general councils were six in number; the western clergy were obliged to meet twelve times, before they could settle a system of faith to their minds. The history of these councils is abridged in about as many folios, which it will be necessary for us to read over, together with the fathers they refer to^k," and I will add, with the standard of truth, by which they must be compared, ere we can believe the proposition.—The petition of the undergraduates in the university of Cambridge, together with four letters of Dr. Jebb's to the candidates for the degree of bachelor of arts, will exemplify my meaning.

^k Jebb's Works, vol. 1. p. 195. Let. on the sub. of subf.

Now, if we be unacquainted with the ideas, contained within any number of propositions, we must be in a situation, in regard to what those propositions lay down, similar to what a blind man is in respect of colours, or a deaf man is in respect of sounds. For, though we may have rational faculties to a certain degree, yet if we are not capable of attaining the knowledge necessary to the belief of those propositions, we shall be in nearly the same situation. Admitting the articles to be true, yet a weak man cannot with propriety subscribe to their truth.

These examples of historical propositions will shew what knowledge is necessary for the belief of metaphysical and doctrinal articles. I shall not, therefore, enlarge here: but cannot help noting, still further to illustrate this matter, the curious structure of the human mind, and how admirably language accommodates itself to all its wants. Hence it is, that as many collections of ideas may coincide, and appear a single idea, so a single term may express numerous ideas, and a single proposition may contain a great variety of truths¹. But this conciseness, and if I may so speak, pliability of language, is not only favourable to that particular process of the mind called abstracting, but to the simplicity and copiousness of truth in general. From the vast ocean of human opinions we collect but few invariable truths: and these reduced to their proper size, would occupy but little room. Hence the propriety of the ancient saying, *Μεγα βιβλιον μεγα κακον* a great book is a great evil.

To those, who have been in the habit of inquiry it will appear, that these remarks apply more readily to religious

¹ Introductory Essays to Hartley's Theory of the human mind. Essay 3. by Dr. Priestley.

and metaphysical truths, than to any other. Were we to analyze the 39 articles, were we to trace all the propositions to their original principles, and to see where they all bottom, in the "method of invention," as logicians call it, were we to review the ideas, of which they are composed, and to make a fair estimate of the knowledge, which the articles contain, if true, it would be found prodigious. Let me seriously ask, Is it possible for a person of slender capacity to gain a knowledge essential to the belief of the 39 articles, supposing them true? I do not stop to lay much stress on this question, "Whether while men's attention be thus called to things beyond their reach, they are not prevented from attaining what is within their power?"

These questions may be asked, even if we admit the truth of the articles. But, How will the case stand, if they happen to be false? Clearly thus. There is a symmetry and proportion in truth, by which it recommends itself to the human understanding, and coalesces with its operations; and these operations are the only proper judges of it. Rays of truth, beaming from that eternal sun, which enlightens all rational beings, have a natural reception in the human mind, which is formed to receive them; and if the mind be not disordered by low passions, in proportion to the strength of its faculties, and the perspicuity and order in which objects are presented to it, truth will always appear beautiful, and error deformed. But, if the articles are false, Will they not become those obstructing mediums, of which I spoke before, which, instead of conveying to the understanding just notions of truth, will break its force, and diminish its brightness? And, while the native lustre of truth is thus tarnished, the false images drawn on the

^m Epicteti Enchirid. c. 59.

mind, will occupy the room, which ought to be kept sacred to real science. How many prejudices may subscription lay the foundation of, which may stint the human faculties, and keep reason in leading strings till it even grows grey! It is natural to suppose, that such articles will have the same effect on the human understanding from twenty-three even to fourscore, that our nurses' stories, and catechisms have had till twenty-three. They will become standards, to which we shall appeal as oracles of truth, rather than guides to help us in our inquiries after it. Some years hence I suspect, it will be found, that falsehoods, equal to any imposed on the world by the romish church, have passed current among us for evangelical truths; and that men, formed by nature with superior talents, and who have made solid acquisitions in human science, have, nevertheless, had their understandings enslaved by trifling prejudices and theological absurdities.

I have asked, Whether subscription may not lay the foundation for some unhappy prejudices? Let me be allowed to ask another question connected with this, which is, Whether our confessions do not promote the two opposite extremes of enthusiasm and infidelity? Aristotle, it is well known, was unacquainted with that operation of the mind called "method, or disposition." Hence it was, that his logic, in a great measure, dwindled into mere syllogistic trifling, and his disciples, after having possessed the schools so long, attained, comparatively, few settled truths. But when men began to pursue their inquiries in the way of "method," they found the golden key to the temple of science: and improvements, similar to what were made in natural philosophy by "induction, experiment, and analogy," were made in that science, which regards the human understanding.

By

By a close attention to the manner, in which external objects affected them, by classing their sensations, by the regular arrangement of the ideas, proceeding from those sensations, by inquiring into their intuitive notions, by tracing up to those notions, as their data, others more remote, by combining together numerous series of complex ideas, by collecting their ideas in correspondence with the reality of things, by affixing clear terms to those ideas, and expressing their definitions with plainness and perspicuity, in a word, by the whole of those artful procedures, called in the schools the “method of invention, and the method of science^a,” men have been unravelling the mechanism of the human mind, and are going on to something more of certainty, in matters, which have long held the world in doubt and dispute, than, perhaps, we can well conceive.

Was it to be wondered at, that men of science should wish to regulate their religious inquiries by the same laws, so far as they would apply? That they should aim to subject our public confessions to a regular analysis, and pursue the whole series of propositions contained in them through their various combinations to self-evident truths, or the principles of common sense? And, Was it surprising, that the public confessions of christendom became losers by this fiery trial? It may be doubted, indeed, whether any one could safely undergo it. What then? These confessions continue public standards; they were drawn up by christian doctors, subscribed by christian ministers, and received the sanction of christian kings.—We are told, they are touching “the true religion,” and may be proved by “most certain warrants of holy scripture;” in short, they have been supposed to contain the truths of divine revela-

^a Duncan's elements of logic, b. 4.

tion, and the consequence is, that a just disapprobation of what may prove human mistakes, are formed into unjust prejudices against the TRUTH itself.

On the other hand, men of warm imaginations, but little reflection, seldom analyze their creeds; but finding systems ready made to their hand, feel it much easier to assent to propositions, than to inquire into their truth; and to subscribe them, than to understand the doctrines, which they contain.—They say their creeds, expound the scriptures by them, and become zealous christians.—The latter are enthusiasts, and assent to every thing; the former become sceptics, and believe nothing.

Of characters thus formed several examples have fallen within my own observation. And it may be reasonably supposed, that some of the most distinguished deists and enthusiasts in Europe have been made in the same manner.

We subscribe, that the creed called Athanasius's should be believed; we repeat it among christian people; we "receive it" and "believe it;" yet never understand it! We conclude too, "that this is the true catholic faith, which except a man believe faithfully, without doubt he shall perish everlastingly;" and we imagine, that the devil has nothing to do, but to torture heretics in hell through endless ages! Or, perhaps, we read the article, we examine the creed, we endeavour to refer it to our first principles, the elements of true science. But in vain. We laugh at Athanasius; we despise christians; we say Mohammed was as cunning a man as Jesus; but think the "divine Socrates" was a better teacher than either.

CHAP. II.

WHETHER SUBSCRIPTION BE CONSISTENT WITH THE
GRADUAL IMPROVEMENT OF THE MIND.

HAVING hitherto considered subscription in relation to the mental powers themselves, I here naturally ask, Whether it will not also retard their future improvement? It is natural here to take notice of the analogy between the faculties of the human understanding, and the limbs of the human body: both are kept in health by regimen, and improved by exercise. An active youth lays the foundation for a vigorous manhood. But if at a time of life, when the limbs call for exertion, they be brought under a rigorous confinement, the effects will be unfriendly to the constitution. "Strait cloathing spoils the shape." The Chinese women, as Mr. Locke observes, have very little feet, and are all cripples. The reason is, that the feet are confined in infancy within very little shoes, and are never suffered afterwards to enjoy their liberty. Mr. Locke also observes, The women are little and short lived: whereas, the men are of a proper stature, and attain a proportionate age^a.

Is it not natural to suppose, that subscription will affect the understanding in the same manner? The inconveniencies experienced by a few great minds will be very considerable; but the evils introduced into a nation will

^a Locke's Treatise on education.

be infinite! For where the human faculties are thus confined, the progress of truth through a nation must be proportionably retarded. Truth is placed at the top of a hill, but, Will the mind have strength to ascend the eminence? To speak agreeably to our present allusion, Will it not be crippled, and limp in all its motions, so as to be disposed to shrink from the steep ascent of inquiry, and to loiter in the humble path of implicit faith?

What a beautiful variety is observable in man, as he advances through different stages of intellectual improvement! The possession of reason gives him a superiority over the creatures around him, and the proper management of it leads to the perfection of his nature; towards which, he may, indeed, be every day making insensible advances: yet, at no period, he completely attains it. For in proportion as the mind looks forward, and sees further, it receives new ideas; which do but lead on to fresh discoveries, and more enlarged improvements. A boundless prospect lies before it! Perceiving that our understandings have already undergone an actual change, we conclude, that in future life, they will undergo similar revolutions. The mind experiences so many changes, that it may, I think, be justly compared, as it has been, to the different appearances of nature in different seasons of the year. Hence man was called by some of the ancients, the microcosm, or little world^b. When a philosopher surveys the works of nature, he is pleased with the variety apparent in the system; this variety, he says, produces order, and sheds lustre and beauty through

^b See this thought improved on by Philo *περι Μωϋ Κοσμοπ.* Agreeably to the same notion, Philo calls man a little heaven, *εξαχμ ουρανον*. Ut sup. p. 14. ed. Mangey.

the whole. Let him attend to the procedure of the human mind, and observe all its changes, and he will perceive the same variety. Then let him turn his attention to the subscription of 39 articles! How will he reconcile uniformity of faith with this variety in the human understanding?

CHAP. III.

WHETHER SUBSCRIPTION BE CONSISTENT WITH THAT DIVERSITY OF OPINIONS, TO BE OBSERVED IN MANKIND?

IF I feel it difficult to reconcile subscription with those changes, to which individuals passing through different stages of intellectual improvement are subject, to reconcile it with that variety observable in human nature at large, appears still more difficult.

It is said, that there are some opinions, to which all mankind yield assent^a. Not to contend at present, that the opinion itself is not true, such agreement was never pretended to relate to any other principles than those, which are deducible from our common nature, and may be explained by our common obligations^b. In regard to opinions, which depend on the laws, manners, and religion of nations, different people will necessarily think differently. The same people, also will, on many subjects, necessarily think differently, while the contexture of their

^a Fenelon sur l' existence de Dieu.

^b Ibid.

understandings,

understandings, the manner of their education, and the means of their gaining knowledge are so various.

How numerous were the opinions of the ancient greek and roman philosophers on the nature of the chief good, and of the human soul! Do not think, that the indian tribes are either uniform in their sentiments, or their complexions^c. A certain infallible church has revolted against every principle of common sense, to weaken maxims, which they could never destroy, and to obtain an unity of speculation, which yet they could never secure. Ye are hives of heretics, says the supreme head of the infallible church, “to the pretended reformed,” that have swarmed away from the original unity; and the “pretended reformed” reply to the head of the infallible church, We boast an unity as firm, as your own. Nevertheless after all their HARMONIES, these orthodox sisters had among them heterodox brethren.—The church at Geneva, which thought itself strictly calvinistic, hath, at length, found itself socinian; and another, which from the days of Cranmer to those of Laud, espoused grace and predestination, from the time of Laud to the present has pleaded for freewill and general redemption^d,—So little can we depend on uniformity!

Diversity of opinion in different states has been found to bear proportion to their different degrees of liberty. Voltaire used to call Britain the land of sects. All the opinions, that have been held in different parts of Europe, are professed in England. Ye grant it. But ye say, that this variety is confined to the sectaries. Indeed! Is there no

^c Brainerd's Journal.

^d Toplady's Hist. Proof of the Doctrinal Calvinism of the Church of England.

variety in the church, so called? It is no secret, sirs—We know your clergy, and various are their opinions. It has long been their favourite notion, “that unity of doctrine does not necessarily require perfect unity of private opinion^e.” And, whether in the present instance this diversity of judgment proceed from the different prejudices of the clergy, their particular modes of education, their unequal capacities, or their various attainments in literary improvement, the clergy, so called, no less than our sectaries^f, are to be justified in asserting it. But I am puzzled to reconcile subscription to uniformity of sentiment with variety of sentiment actually existing in the same church, except by “a certain mechanical way of delivering established doctrines, which is for teachers to have no opinion of their own^g.”

Alas, ye sons of the reformation! My understanding then is here aground. Forgive the inexperienced Inquirer, who asks you, What has been gained by articles of concord, and an act of uniformity?

What has been treated with a worse grace by the greek and latin churches, than tradition? The churches of Asia celebrated easter the fourteenth day of the moon after the vernal equinox. They have, it seems, a tradition of St. John and St. Philip, and on those traditions they ground their practice. The Sunday of our Lord's resurrection is chosen by another part of the church, as the day, on which to celebrate this feast. They also plead apostolical tradition. Different, yea contradictory traditions are chal-

^e Heads of a course of lectures in divinity, in the University of Cambridge, by John Hey, D. D. b. 2. c. 4.

^f I need not, I hope, inform the reader, that I never use this word in the invidious sense, in which it is commonly used.

^g Dr. Hey, ut sup.

lenged by the Greeks, Nestorians, Abassines, Latins, and Arminians. According to some, baptism is to be administered by trine immersion, and leavened bread to be used in the eucharist: all varying in their practice in infinitum, yet all uniformly pleading tradition ^h."

The reformers asserted, that this disagreement destroyed the authority of tradition. Had they lived now, they would have reasoned, perhaps, equally well on uniformity. In a country like Britain, amid so many contending parties, they would scarcely have aimed at establishing one creed. Some writers have chosen to compare the understandings of men to different soils of earth; and the truths, which are proposed to them, to different sorts of grain ⁱ. All soils are not equally favourable to every kind of grain: some grains requiring a richer soil, while others will thrive on a more barren. But how often is Plato the divine at variance with Plato the philosopher!

The truth is, that in the allotment of human happiness, or, at least, of means for obtaining it, and in the appointment of motives to goodness, a just balance is preserved: and, on an accurate survey, it will be found, that all ranks and stations are, in this respect, much nearer to a state of equality, than may be imagined. But an extensive knowledge being neither essential to happiness or virtue, a capacity for obtaining it, is not universal. Our minds too are as differently formed, as our bodies; and our sentiments, often as unlike as our features.

But go, candidate for holy orders! survey the extent of our established formulary; study the nature of truth, of knowledge, and of faith, look into thine understanding,

^h Claude's Hist. Def. of the Reform. part 2. p. 257.

ⁱ Plutarch. de Educatione liberorum liber. p. 3. Ed. Edwards.

and form an accurate acquaintance with thyself; and say, if so it seem to thee, 'The public confession is incomprehensible, I cannot understand it; it is contradictory, I cannot believe it; it is extensive, my capacity will not enclose it.—What then? There is an act of uniformity.—What can be done in this case?

Poor Urbanus! I knew him, and I loved him. He was a youth of polite manners, of calm passions, and of a benevolent heart; but his rational powers were weak, and his literary attainments very inconsiderable. I always thought him virtuous: he had, too, his favourite notions, and, among his equals, he would often say, "There I must beg leave to differ." I met Urbanus one day in a dejected frame of mind: I asked him, Whence it proceeded? Urbanus replied, "I was designed in early life for the church, and I am preparing for orders." Thou hast read, said I, the 39 articles. I saw he was alarmed; and he answered with a sigh, "I do not comprehend them." We parted. He next day waited on Patronus, and disclosed to him all his scruples, and all his fears. Patronus, who was ambitious for the future advancement of Urbanus, replied, Be not righteous over much, bishops will not stand for particulars. Canst thou fear to subscribe those articles as true, which were sealed by the blood of martyrs, and which, though not understood by thee, were certainly understood by them? Patronus was a politician, as well as a friend to Urbanus, and knew this to be the only evidence, suited to the capacity of his amiable friend.

I add, that Urbanus used to read Sterne; was a great admirer of uncle Toby; and could never rise above some benevolent sentiments, derived from him. Alas! to reconcile these with the articles and canons of the church was above the

the skill of Urbanus. He was the last person in the world to dispute a point with his superiors. All he used to say was,—“ Uncle Toby would never have thought so.”

But you are a rational being of a superior rank; a genius, and a philosopher. Condescend then to read the following chapter.

CHAP. IV.

THE PRINCIPLES OF THE PRECEDING CHAPTERS ILLUSTRATED IN THE EXAMPLE OF ACADEMICUS.

ACADEMICUS formed an acquaintance at one of our universities with the writings of Des Cartes, Sir Isaac Newton, and Mr. Locke. He saw one, by a refined scepticism, preparing the way for an investigation of abstruse science: he saw the second, by analogical reasoning, arriving at solid demonstration: and the last, by a rejection of antiquated systems, and a review of the powers of his own mind, attaining, by slow advances, important truth.

Our young philosopher, having gone through his course of mathematical studies, meant to resign himself, in future life, to the study of the scriptures. He was one day sitting in his room, and surveying our established creeds. He asked himself a plain question, “ Where would have been the discoveries of these great men in the regions of science, if, as soon as they began to think to any purpose, their minds had been confined by a literary creed? Alas, for our Newtons and our Lockes, if this had been the case!

These

"These superior geniuses must, then, have left the field of inquiry, and subjected their understandings to men inferior to themselves."

Academicus was a young man of reading. He was not unacquainted with the writings of Moses, the koran of Mohammed, or the gospel of Jesus. He observed one pentateuch, but numerous comments of learned rabbies; one koran, but numerous expositions of mohammedan doctors; one gospel, but jarring systems of christian casuists. Sabellians, and arians, athanasians, and socinians, jesuits and janfenists, lutherans and calvinists, each, he saw, had their favourite system, and he was aware with what evil tempers they had been maintained. Critics and philosophers, he knew, had also their favourite controversies, and now and then, to shew their literary dexterity, were wont to rap the fingers of their fumbling opponents, calling them, perhaps, "dunces, drones, or fools^a," &c. But these terms have not been sounding enough for divines. They must contend "sharply" (*ωμεγως*) for the faith. Their opponents have, accordingly, been "heretics, knaves, beasts, dogs, and devils^b." Now and then they have thrown them into a dungeon, to give them time to

^a *Homines quidem non acuti naris, ingenii tardioris, stolidi, stulti, &c.* Vid. Criticos et Hypercriticos passim.

^b Heretici, nebulones, bestię, canes, and diaboli, occur throughout Calvin's Institutes. See particularly his fine compliments to that learned physician, Michael Servetus. Even when writing Commentaries on the scriptures, he calls him "canis hispanus, spanish dog." In his Institutes he calls his sentiments "diabolicam imaginationem, a devilish conceit," and then speaks of the "latratus impuri illius canis, the barkings of that impure dog." l. 2. c. 9, 3. The other reformers of Germany and Switzerland use the same theological style towards this injured gentleman. Need one be surpris'd that Calvin, who held such frightful doctrines about devils, l. 1. c. 4. s. 13, should be for burning one, when he got him in his clutches? For with Calvin heretic was another name for devil.

recollect themselves, or kindled a fire to throw light on the truth.

“ Amidst such diversity of opinion, and such severity of temper,” said Academicus, “ there must be some egregious mistakes.” The question with him was, On which side did the truth lie?

Our youth was always supposed to be ingenuous, and to love truth: but having been accustomed to philosophical accuracy, not over-hasty to become a believer.

“ The most probable way,” said he, one day, “ of finding truth is to trace her, as it were; from the cradle. I will then consider my mind, as a sheet of white paper, on which the first sketches of truth have not yet been drawn. Every principle, which I have received from education, collected from books, or confirmed by argument, I will lay aside, as the fruit of early prejudice, of partial reading, or of immature judgment.”

In religion, then, he became, for a season, a sceptic; hoping, that whatever sentiments, in future life, he admitted as true, might flow from a conviction, founded on reason, and end in a faith, depending on evidence. “ I exist” was his only first principle.

In a fair course of reasoning, he inferred the existence of a first cause, an eternal, original, independent, and necessarily existing Being, possessed of infinite power, wisdom, and goodness, the Creator of all worlds, and the Father of all beings^d. “ Towards such a Being,” said he, “ can I help feeling respect the most sincere?” Here he laid a foundation for religion, which consists in the love and worship of God.

^c Locke's *Conduct of the understanding*, f. 12.

^d Clarke on the Being and Attributes of God, prop. 1, 2, 3. Grotius de ver. relig. Christ, l. 1.

It may be thought, perhaps, that Academicus went a long way to find a little truth. This I know was frequently objected to him. But he used to reply, “ I will take nothing for granted. I will not allow myself to say, I believe what I have not thoroughly examined, but by a steady process of inquiry, I wish to know, Which of all the religions in the world is most correspondent to the character of God, and the nature of man ?”

He weighed them all like a philosopher and an historian, and after having long held the scale with an impartial hand, the balance turned in favour of christianity. I saw Academicus embrace the NEW TESTAMENT, and heard him exclaim, “ Thou art an inestimable treasure !”

“ I find,” continued he, “ different theologians from this one book have extracted different systems. I will lay them all aside, and from the NEW TESTAMENT itself collect, as far as I am able, the doctrines of truth.” A true genius, if he follow the direction of his own superior talents, will admit few restraints, and of all characters in the world is the most unmanageable and unsubmitive.—Academicus, then, was somewhat detained by a notion, that “ where we have no ideas, and perceive not their agreement, or disagreement, whatever fancies we may indulge, we have no knowledge, and whatever assent we may yield, we have no faith.” Agreeably to these notions he wished to examine all the christian doctrines ^c.

Unfortunate young philosopher ! most sincerely did I pity thee. Thy mind was but on the edge of inquiry, thou wast but just beginning to ask, “ What is truth ?”

^c ————— Καὶ φραζεν ἐκαστα

ἡνέχον γνώμην ἑκάστας καθυπερθεὺς ἀρίστην.

Pythag. Χρυσά σπιν. v. 68, 69.

And behold! Thou wast presented, when called on to take orders, with an ancient system of 39 articles, containing a prodigious number of metaphysical, theological, political, and historical propositions, to be subscribed in the "literal and grammatical sense;" in which system almost every christian doctrine was settled, or pretended to be settled; with 141 cruel canons to suppress inquiry, to bring conscience under discipline, and to correct it, if unruly; three creeds, orthodox, and heterodox, antiquated, unintelligible, and contradictory, and with a routine of prayers, the remains of the romish missal, after which thou, a protestant divine, wert to address thy Maker! Thou wast presented, Academicus, with all these; for whoever subscribes the 39 articles does, in fact, subscribe them all.

Most unfortunate young philosopher, most sincerely did I pity thee! Nor am I here merely indulging my fancy or speaking the language of scorn. Many have I known, who have groaned under the misery of their situation, for whom I have, in secret, dropped the tear of the most unaffected concern. Some have sighed and subscribed; others, who have had inclinations to the ministry, have been forced to relinquish them; some, of easy circumstances, have declined every employment in the church; while others have resigned their preferments, and betaken themselves to civil employments.

Do you ask, reader, Whether Academicus was affected with scruples, and brought into difficulties? Whether he surmounted them, got his testimonials signed, held a curacy, became a rector, and, at length, in due order, a dignitary in the church? This is all a secret. My Inquiry intermeddles not with his subsequent history. We shook hands, and parted at the church porch.

But let me ask philosophers, that is, men of right reason, friends to truth and wisdom: Was this philosophical? Here was a young man of superior talents, just beginning to examine the doctrines of THE TEACHER OF TRUTH, and who thought with Luther, that a christian minister's motto should be, Turn over the sacred volumes seriously, pray diligently, and always continue a scholar^f.—In such circumstances, Was it reasonable to demand such a subscription, as the present? In proportion to the extent of the formulary, Might not the native ingenuousness of Academicus be interrupted, and the original force of his faculties receive a curb? Might not that order, which the various operations of the mind should maintain, to arrive at knowledge, be broken in upon, and an obstructing medium be presented, which might keep for ever after the sacred light of truth from entering?

Suppose it granted, that our public confession be, in the main, the faith of “ a true christian man?” Is the true christian man never to make advances in knowledge? Must his boundaries be prescribed? But I ask again, Were the compilers of the 39 articles infallible? The governors of the church will not venture to affirm this. May not some of the doctrines, then, be false? Do not the best informed of the clergy believe many of them are so? And I hope to be able to prove, that many of them are grossly false. And will any philosophical divine undertake to shew, that the most probable way for the understanding to arrive at truth, is, for the hand to subscribe falsehood?

^f *Biblia serio evolvit, orat sedulo, et semper manet discipulus.*

CHAP. V.

CAN WE BELIEVE MYSTERIES?

I HAVE hinted above, that we cannot understand, and, consequently, cannot believe mysteries, meaning by that term, doctrines incomprehensible, or contradictory. For a distinction is to be made between the “mysteries of christianity,” and the “mysteries of divines:” which I shall make in the words of that excellent christian philosopher, the “wise and modest Abauzit^a.”

I. The sacred pen-men gave the name of “mystery” to those truths, which revelation discovers to us, and which would have been unknown to men, had they enjoyed only the guidance of reason. Thus the doctrine of the vocation of the gentiles to the privileges of the gospel is called a “mystery,” because before Jesus Christ had commanded his apostles to preach the gospel throughout the whole world, this design, which God had formed of manifesting himself to all men, was a thing unknown, a thing concealed. In the same sense it is, that St. Paul, informing the christians, that all mankind shall not be dead, when

^a This excellent man was born at Uzes, but found an asylum at Geneva. He was allowed to possess as great a variety of knowledge, as any man of his time; and was known to the most eminent divines, philosophers, and mathematicians in Europe, particularly Sir Isaac Newton. Several corrected errors in their works from hints communicated by Abauzit, among whom was Sir Isaac Newton. “He did not exhibit his wisdom in books, but displayed it in his life.” But of some of the greatest men, who lived in his time, it was sufficient praise to say, “He was the friend of the wise Abauzit.” See his Life prefixed to his Miscellanies, by Dr. Harwood.

Jesus Christ shall descend to judge the world, calls this doctrine a "mystery," because that was a particular circumstance, with regard to the last judgment, which mankind had been ignorant of till that time: it had been a thing concealed from them, till the time St. Paul informed them of it. It is in this sense that the word "mystery" is most frequently employed in the new testament.

II. The name of "mystery" is also given to those doctrines of religion, which acquaint us but imperfectly with those subjects, which they present to our minds, which only communicate to us insufficient ideas. It is in this sense, that one may say, that the conduct of providence is a "mystery;" because, though we know various things concerning the manner, in which God governs this universe, we are very far from knowing all the rules, which it observes in this great regard.

III. One gives the name of "mystery," to what is unknown and obscure to us in the things that relate to religion. We do not know, for example, in what time God will make his gospel known to those nations, which hitherto have been plunged in the darkness of paganism: this we say is to us a "mystery."

IV. The word "mystery" is sometimes employed to denote in general the truths of religion. It seems even that the scriptures sometimes make use of it in this sense. Thus Christ said to his disciples, "to you it is given to know the mysteries of the kingdom of heaven," that is, to know the truths of my gospel, which remain concealed from the rest of mankind. "Let every one," says St. Paul, "regard us, as stewards of the mysteries of Christ," meaning of those truths, which Jesus Christ came to teach men, and of which the greatest part of men are ignorant.

Abauzit adds, " Those things which are unknown to us, make no parts of religion. They have not been revealed to us. Since they continue to be unknown and concealed from us, they constitute no part of the revelation, which has been granted us: they ought not, they cannot be the objects of our faith:" and for this plain reason, whatever is concealed from us, we have no ideas of ^b.

But " divines give the name of mystery to certain doctrines, which reason, they say, cannot comprehend, and which are even contradictory."

So that this word has been refined by reverend chymists, as quite to have lost its original appearance, and is presented to us under a different form: it assumes, indeed, a variety of shapes, yet, behold! it never alters. Is an object black? Ye are to believe it is white. Is it white? Ye are to believe it is black: and then, perhaps, that it is neither black nor white, and yet that it is both. To be more accurate; What if we should say, a theological mystery is something so profound, that we cannot understand it; something so high, that we cannot see it; yet something so important, that without evidence, yea, contrary to evidence, we must believe it, and without our eyes we must swear, lo! We see? Some have thought if to the terms absurd, irrational, contradictory, ye even add the term blasphemous, the definition will be more accurate, though it may not, perhaps, fall so soft on a clerical ear.

For example, a priest mumbles these words, " This is my body ^c" over a little bread and wine—Instantly it becomes the flesh, and blood, and bones of Jesus! Yea

^b Abauzit's Miscellanies. On Mysteries in religion. Sermon of Dr. Foster's on Mysteries, in the first volume of his sermons.

^c Hocce corpus est meum.

though a thousand communicants, at the same time, and in a thousand different places on the globe, eat this extraordinary wafer, each of these thousand communicants would eat the whole body, and drink the whole blood of Jesus^d! The word of the priest changes the substance of the bread into the whole body of Christ, while at the same time he professes, that this very body ascended into heaven 1700 years ago.

How is this done? This is all concealed. It is a mystery. The church of England (agreeing with the doctrine of the lutheran church) alters, but, I think, by no means improves the mystery. We eat bread, indeed, and drink wine; but yet the “body and blood of Christ are verily, and indeed taken, and received by the faithful in the Lord’s supper.” In the office for the celebration of this supper, these are called HOLY MYSTERIES. Here the word of the priest changes one substance into two. The romish doctor calls his mystery transubstantiation; the lutheran terms his mystery consubstantiation. Yet both alike are mysteries.

The church of England tells me, There is but one self-existent Being; that he is, to use the language of the schools, “*ipsa unitas, unity itself,*” “without parts;” and in the very next proposition, she tells me, “That in this one Being, without parts, there be three persons, God the father, God the son, and God the holy ghost, yet but one God. How can this be? It is a mystery. Further, I am told, That Jesus Christ is the self-existent God, and therefore “without passions,” consequently, could not suffer; I am again told, that Jesus Christ did suffer death, and lay in the grave three days, yet, that the self-

^d Many celebrated protestant divines note these circumstances, yet professed doctrines equally incomprehensible!

existent God, whom Jesus Christ is declared to be, did not die." These, and many like them, have been called "The fundamentals, the mysteries of christianity." Many "mysteries" are contained in the 39 articles.

Let me here introduce Academicus again. He was told, he could not understand these mysteries, yet he was asked for faith; yea, they told him to lay aside his reason, and then to believe. Was not this to ask him to see without eye-sight?

Academicus found it impossible to reconcile such practice to any principle of his philosophy. Besides, do but think for a moment. These sublime mysteries were the deductions of profound doctors, after many metaphysical excursions, and theological labours, the last efforts of supereraphical skill, the "very marrow of truth!" Was it philosophical to expect a young inquirer to be as eagle-eyed, as our hardy veterans in the service of theology? Surely, oh, ye divines and philosophers! This was an awkward time to propose mysteries to poor Academicus.

Nor do I think the following considerations wholly foreign to the present question, nor unworthy of our attention: on comparing the testimonies of divines, at different periods of their lives, about these mysterious points, it appears, that some of the most eminent of them fairly dropt mysteries, and in the maturity of their judgment, with the sacred scriptures in their hands, with an increase of light and knowledge, which broke into their minds by a

"This, I confess," says bp. Beveridge, "is a mystery which I cannot possibly conceive, yet it is a truth, which I can easily believe; yea therefore it is true, that I can easily believe it, because it is so high, that I cannot possibly conceive it." *Private Thoughts*, art. 3. The unity in trinity, he calls the mystery of mysteries! In like manner bp. Hurd speaks of certain mysteries, at which "reason stands aghast, and faith itself is half confounded." *Priestley's Corruptions of Christianity*, vol. 2. General conclusion. See also Mr. Hooper.

close

close investigation of truth, with immortality full in view, and in prospect of giving an account of themselves to God, they died in the arms of common sense and revelation^f,
having

^f It was not peculiar to Courayer and Whitby to leave the track of orthodoxy, after they had distinguished themselves by their writings in its favour. There are not two names of greater note among the dissenters, than Doddridge and Watts: they were learned, pious, and useful men. From what the latter has said in his Lectures (prop. 128. p. 392.) as quoted by Dr. Priestley, it should seem, he was only, at the close of life, what Dr. Priestley calls a qualified trinitarian, that is, a fabellian. General view of the argument for the unity of God. I have heard also that Dr. Doddridge expressed the strongest disapprobation of some of his writings in his last illness. It is well known, indeed, by those who were acquainted with this learned man, that he used great caution in the close of his life, when speaking on certain doctrines. I could give one or two very curious examples, but what I allude to above, he spoke to one with whom he had no reserves. It is well known too, that Dr. Watts gave up the "orthodox" doctrine of the trinity, notwithstanding his zeal for it, prior to the publication of an Appeal to a Turk, or an Indian, about the athanasian doctrine of the trinity, written by Mr. Martin Tomkyns; *Memoirs of the life of Whiston*, p. 251. See further on this subject, Mr. Lindsey's second Address to the students of Oxford and Cambridge: wherein are some remarkable extracts from Dr. Watts's works, as exhibited by the ingenious author of the life of the rev. Isaac Watts, D. D. by Samuel Johnson, LL. D. with notes, containing animadversions and additions, Lond. 1785. The late Mr. Robinson of Cambridge, also, wrote a letter "on the true and proper divinity of Christ," entitled, a Plea, &c. which was much admired by some learned dignitaries, but he became at last an unitarian. See his *Ecclesiastical Researches*, an elaborate work, lately published. Those who have lately stood forth the open assertors of the unity of God, were once, most of them, strict trinitarians.

The following anecdote deserves observation. Abp. Tillotson writes to bp. Burnet in 1694, upon reading his Exposition of the 39 articles, thus,

"In the article of the trinity, you have said all that I think can be said upon so obscure and difficult an argument. The socinians have just now published an answer to us all; but I have not had a sight of it. The account given of Athanasius's creed, seems to me no wise satisfactory: I wish we were well rid of it." *Life of Tillotson* by Birch, as quoted by Mr. Lindsey, in his *Vindiciæ Priestleianæ*, p. 16. First Address, p. 16.

It were much to be wished, that all public teachers, who have led mankind into errors, would, on conviction of their mistakes, take some means of undeceiving them: and thus, leave the world in possession of their "Last Thoughts."

A late

having lived under the credit of orthodoxy, they, at length, died under the odium of heresy.

All these things considered, where, oh ! ye divines and philosophers, is the reasonableness of our present subscription? It is an insult to a man of genius. Had the same conduct been pursued towards the polite arts, which has been practised towards theology, surely their dignity would have been degraded, and their progress retarded !

Great, then, are the evils, which subscription will cause on the operations of a more active mind ; nor will their influence be more favourable to one less vigorous. The mind of man, like human nature in general, amid all its various directions, possesses some uniformity of character ; its exercises, indeed, are not equally lively in all, yet let it but think, and there will be a similarity in its movements. Now, if a person have acquired no habit of thinking, if he have no art in comparing different ideas together, and in investigating the reason of things, if when a proposition be fairly stated, he be capable neither of establishing its truth, or of evincing its falsehood, it is impossible, philosophically speaking, that he should believe 39 articles. A faith, which constitutes a believer, can only be the effect of evidence. There are, indeed, some truths, which the former may believe, because he sees the evidence, on which they depend, which yet the latter will not be able to believe, because he cannot perceive that evidence. And as a superior understanding should not be

A late eminently learned prelate, on presenting a celebrated publication to the world, believed the arian opinion concerning Christ, but when he published the last edition of his book, he had embraced the socinian. Those texts, therefore, which had been expounded agreeably to the arian hypothesis in the former editions, are made in the latter to speak a sense, agreeing with the socinian : a conduct, worthy of a christian bishop, and deserving imitation !

confined

confined within limits too narrow,—so neither should a weak capacity be thrust into a province too extensive: “A bow too much bent will be broken.” I shall presently, indeed, have occasion to remark, that the doctrines of original sin, absolute predestination, and a trinity in unity, are not the doctrines of the sacred scriptures, nor of the first ages of christianity, but the refinements of theologians. I will, however, out of courtesy, call them sublime mysteries: but, then, should they not be proposed to sublime geniuses? But, What, then, shall we say to the other poor fellow, my amiable friend Urbanus? He had nothing sublime about him: and should you have fed him on theology, till he had been grey, he would never have had strength enough to have attained this knowledge. He could pay a pretty compliment, say a smart thing, or pen a sonnet; but, yet, Urbanus was not a sublime genius.

I must beg the reader's patience, while I drop another hint on the subject of “mysteries.”

It deserves, then, to be noted, that, on the principles of the church, there are not only mysterious doctrines, but mysterious promises, and mysterious precepts: and if so, it will follow, that there are promises, which offer us nothing, and precepts, which command us to do nothing. A “mystery” being something concealed, from which, therefore, no ideas can be collected, and nothing be known.

In the 17th article we are told, “We must receive God's promises in such wise, as they be generally set forth in holy scripture, and in our doings that will of God is to be followed, which we have expressly declared to us in the word of God.” So far there is no “mystery.” The promises and precepts are plain, at least, I think so.

But, unfortunately, on the principles of the reformed churches, “curious and carnal persons, without the grace
of

of Christ, and the inspiration of his spirit, can neither understand the will of Christ, or do works pleasant to God. We have no power to do good works, without the grace of Christ preventing us, that we may have a good will, and working with us, when we have that good will^g.” “ With which excellent benefit none are endued, but those, who are called according to God’s purpose by his spirit working in due season :” and this none have, but those, “ whom by his council, secret to us, he hath chosen in Christ out of mankind, to be delivered from God’s curse and damnation.” None but these can “ obey the calling, or walk religiously in good works ;” nor ever they, till “ they feel in themselves, the workings of the spirit of Christ^h.” This paragraph, taken in connection with the preceding, forms a “ mystery.”

For, let a revelation be laid before me, let reason be capable of perceiving the evidence of its divinity, let me be capable of connecting the ideas in the propositions proposed to my belief, let me understand the precepts recommended to my practice, let me be accessible to the motives derived from its promises, and in proportion to the clearness of my perceptions, and the strength of those motives, good works will necessarily follow. If the motives be strong and powerful, obedience will be lively and active ; if they be weak and imperfect, obedience will be feeble and ineffective : for actions as regularly follow motives, as any effect proceeds, by the laws of mechanism, from its causeⁱ. But, alas ! What is to be done with graceless persons, “ who have not the spirit ?” With them the powers of reason are vain, and the strongest motives ineffective. None are “ in the secret,” but those, who have the spirit.

^g Art 17.

^h Ibid.

ⁱ Hartley’s *Obsl. on Man*, vol. i. p. 500. On the Mechanism of the human mind.

Good men are not always aware of the tendency of their own principles. For it is obvious to remark, that mysterious doctrines, and precepts, are too often connected with mysterious practice^k. Hence, at the Reformation, arose the gospellers, a kind of antinomians, who turned the grace of God to wantonness^l. Mystics are often good men; but “mystery” has been too often the parent of knavery.

Remarks of this kind, however, do not properly belong to this part of my subject.—But I still ask, What is a subscriber to do, in the case of “mysteries?” Should he listen to Patronus, who, perhaps, would tell him, that in the same manner, as he might safely believe an article to be true, because the reformers believed it, he may also suppose himself to be under the guidance of the “Spirit,” because the reformers thought they were? Or should he rather adopt the language of the holy saint Theresa, (so much admired by good Abbé de la Trappe) who to a girl, that said, she would bring her Bible to the convent, replied, “We want neither you nor your Bible, we are poor ignorant souls, who know only how to spin and obey^m.”

Such saints are in possession of the shortest answer to the question,

Can we believe Mysteries?

^k Foster's Sermons.

^l Burnet's Hist. of the Reformation, p. 2.

^m Abauzit's Miscel. Letter to a lady at Dijon.

CHAP. VI.

ON THE IMPERFECTIONS OF THE PRESENT ESTABLISHMENT.

PERHAPS an attention to the circumstances of our ecclesiastical establishment may lead to some just sentiments on the present question.

The great Author of nature, we are ready to allow, is absolutely perfect, we allow also, that, infinite wisdom and power constituting an essential part of his character, affect all his actions. His works, therefore, are all perfect, that is, they fully answer the original intention of their Author, in the respective ranks, which they hold, and the various uses, which they answer, in the intellectual and material world: and not being derived from gradual improvement, but carried at once to the summit of perfection, they required no subsequent revival. God said, "Let there be light, and there was light, and God saw every thing, that he had made, and, behold! it was very good." But human nature being prone to imperfection, all its schemes and contrivances are comparatively ineffective, and it arrives at absolute perfection in nothing. All its little excellencies it gains by partial discoveries, and successive improvements^a.

It was natural, we will say, when the polite arts revived in Europe, two hundred years ago, that the popular religion should also undergo a public examination. The imperfection of former systems of church polity becoming notorious, it was also natural, to inquire after a system,

^a See Hooker's Eccles. Pol.

divested as much as might be of ancient errors, and adapted to that more enlightened period. This was all natural.

Yet, if the minds of men had even been pre-occupied by no ancient corruptions of the christian doctrines, if our reformers had sat down to the scriptures pure and uncorrupted, and had formed a plan of church discipline original and new, if they had been men of the greatest capacity and conduct, possessed of all the powers of criticism, and directed by all the ingenuousness of christian simplicity; in a word, if they had been as unprejudiced and unsophisticated, as sincere and learned as we can possibly conceive, and as I am ready to believe they were, yet, Was it natural, even then, I say, to suppose, that a translation of the scriptures, and a scheme of church polity, would have been exhibited to mankind, incapable of future corrections? This may not be supposed; perfection was not made for man.

But, in the present case, where the minds of men had been pre-possessed by deep-rooted prejudices, and gross errors; where ignorance, superstition, bigotry, priest-craft, and worldly policy, had been tyrannizing over the consciences of men for ages; where the hands, that reformed, were under the immediate direction of other, still stronger than their own; where the whole work of reformation was made to carry an appearance, best suited to the views of princes, and humouring the darling prejudices of the nation^b; and where even reformers themselves were but just emerging from popish darkness; in such circumstances, What conduct can be more irrational than that, which implies, the reformation was a finished draught? The arts and sciences have not laboured under those difficulties, which have retarded the cultivation of scriptural theology;

^b See Burnet's Hist. of the Reign of Eliz.

and yet, Have they not received considerable improvement, and, Have not the most important discoveries been made, since the era of the reformation?

It has been observed, that there is a circulation of opinions, in a course of years^c. In the 13th century the productions of that sage, who had given laws to men of literature for ages, were burnt at Paris, and fifty years after, they were revived by Thomas Aquinas. Aristotle's metaphysics and politics have been once more discarded. A sound philosophy has taken its seat in our schools of literature, and liberal systems of civil government have enlightened many European states. Andreas Cifalpinus, Paulus Sarpus, and Servetus, were acquainted with the circulation of the blood, and a book was written in its defence many years ago by an Englishman. The opinion was, however, buried in oblivion, till revived by the famous Harvey. Years ago, there was a Pythagoras, a Thales, a Homer, and a Longinus. But the gravity of philosophy, the charms of poetry, and the refinements of criticism lay neglected and disgraced, during the superstition of the dark ages.

But, since the reformation, we have had Bacons, Boyles, Newtons, Lockes, and Hartleys; Miltons, and Bentleys, and Clarkes; we have had Boerhaaves, and Linnæuses, and even Shakespears, and Garricks—Men of genius have been suffered to walk at large through the fields of human science, unshackled by subscriptions, and unawed by oaths.

But hear it, ye sons of science! Our established system of theology continues unreformed, unimproved, and except for the worse, unaltered^d. I called it our established

^c Baker's Reflect. on Learning.

^d Alludes to the act of uniformity, and sacramental test-law in Charles ii. reign, and the canons enjoined by James i.—Some alterations made in the liturgy are too inconsiderable to be mentioned.

system, but some will think, I do it too much honour. They call it a mere farrago. What was the popish religion, say they, but a strange compound of roman, of grecian, of jewish, and egyptian ceremonies? An enemy collected tares from every quarter, and scattered them in the romish church: the harvest was plenteous; and the reformers had the gleaning. Our priests, our habits, our rites, our ceremonies, our canons, our very prayers, and most of our doctrines, were derived from that corrupt source. Both churches are founded on the same principles, and animated by the same spirit^e. Both alike solicit the protection of the civil power, and derive their importance from worldly splendor. All this has been acknowledged by many sensible episcopal writers, and others, while they have been attacking the citadel of popery, have, unwarily, undermined their own constitution^f. Presbyterians and independents, baptists and quakers, moravians and sandimanians, and even catholics themselves, have all stood by and said with a smile, “ Sport not too freely with the infirmities of thy neighbours, be not too indulgent to thine own imperfections.”

— Quid rides? Mutato nomine, de te
Fabula narratur.

I ask, Where is the consistency of subscribing, in the year 1792, to the popish farrago, according to honest La-

* De Laune's Plea for the non-conformists.—There is a most judicious tract written by a german unitarian baptist, afterwards principal of the university at Racow in Poland, entitled, *Brevis discussio*, “ in which it is shewn, that all the reformed churches, those at least, united by the Harmony, were founded on the same principles, as the catholic.” The justice of his observations is remarkably exemplified in the english church. Our countryman, Mr. Biddle, translated this excellent treatise into english. *Review of the Life, Character, and Writings of Mr. Biddle*, by Mr. Toulmin.

^f See particularly the last Sermon of bp. Hurd's on prophecy, vol. 2.

timer, to the mingle mangle^s of 1552? Inconsistent as the conduct of the reformers was, in introducing uniformity, and in professing, at the same time, a desire for future advances; yet a wish they certainly did indulge, that men would arise in future ages to carry on the work, which they had begun. But, alas!—"We have left the minster where we found it."

^s Every body knows bp. Latimer's homely manner of speaking of the reformation, at the close of a sermon preached before Edward the sixth. "It was yet," he said, "but a mingle mangle, and hodge-potch, I cannot tell what, partly popery, and partly true religion, mingled together. They say, continues he, in my country, when they call their hogs to the swine-trough, Come to the mingle mangle, come, purs, come. Even so do they make mingle mangle of the gospel." Gilpin's Life of bishop Latimer. It was owing to this similitude of features, that pope Clement viii. on hearing the first book of Hooker's Eccles. polity read, expressed himself in the following manner: "His books will get reverence by age. For there is in them such seeds of eternity, that if the rest be like this, they shall last till the last fire shall consume all learning." Hooker's Life prefixed to his Eccles. Polity, p. 25. 1705. Hence too it was, that the pope's nuncio was authorized to confirm the service-book, and Bonner said, "If they sup our broth, they will soon eat our beef." See Pierce's Vindication of the non-conformists, part I. p. 50.

CHAP. VII.

WHETHER, IN PROPORTION TO IMPROVEMENTS IN THE RELIGIOUS SENTIMENTS OF A NATION, ALTERATIONS SHOULD NOT BE MADE IN THE LAWS? THIS QUESTION ILLUSTRATED BY EXAMPLES, FROM PLATO, MONTESQUIEU, BECCARIA, HOOKER, LOCKE, AND PALEY. THE CONSEQUENCE OF RETAINING THE SAME LAWS IN A NATION, AFTER A STATE OF RELIGIOUS IMPROVEMENT.

“MEN are influenced,” says Montesquieu, “by various causes, by the climate, the religion, the laws, the maxims of government, by precedents, morals, and manners; from whence is formed a general spirit, which takes its rise from these ^a.”

It may be added, there should always be an agreement between the laws, and the customs, manners, and turn of thinking in a nation: for as the customs, manners, and opinions of a people will be formed from their laws, so again their laws should be rectified by their prevailing customs, manners, and opinions. The ill-consequences of a contrary policy are soon felt. For a people will experience, that there may be not only a tyranny proceeding from the oppressions of government, as such, but from the establishment of things, shocking to the turn of thought, and inconsistent with the manners of a nation ^b.

^a L. 19. c. 4.

^b Il y a deux sortes de tyrannie; une réelle, qui consiste dans la violence du gouvernement; et une d'opinion, qui se fait sentir lorsque ceux qui gouvernent établissent des choses, qui choquent la manière de penser d'une nation. Montesquieu, l. 19. c. 3.

The sentiments, however, of a nation, on any particular grievances cannot be collected from the complaints of a single sect. Nor, again, can the sentiments of a people be expressed by one branch of the legislature, independent of the other. In a government, where the legislature is composed of different branches, there may exist among the conflicting parties a mutual jealousy; one party may wish to exalt its claims on the ruins of another, and the complaints of any one may not express the "general spirit." This can only be ascertained by the voice of the majority. Now, that there are defects in our establishment, no body will deny. But I design to ask, Whether they be not of such a nature, as to justify me in saying, they oppose the general spirit, and the turn of thought, that prevail at present in the nation?

I will here run over a few particulars.

The enormous power, lodged in the civil magistrate, by the act of supremacy, when exemplified in practice, and drawn at full length, brought tears, it is well known, in the eyes of the gentle Edward. The authority, also, claimed in it, seemed so near a-kin to that challenged by the pope, that the clergy opposed the passing of the law which established it, without this clause, "so far as is agreeable to the laws of Christ," though afterwards omitted^c. Nor did the title of "supreme head" please even Elizabeth herself, who thought, "that it imported a power, which Christ only had over the church^d." I pass by the history of the royal declaration, prefixed to the articles^e. But I cannot help remarking, that king William was well aware of the narrowness of our establishment; that

^c Priestley's Hist. of the corruptions of christianity, vol. 2. p. 348.

^d Burnet's Hist. of the reform. part 2. p. 376. 2d ed.

^e Confessional. Toplady's historic proof of the calvinism of the ch. of England.
ecclesiastical

ecclesiastical commissioners were actually appointed to review the articles, and to widen the doors of the church. There is reason, also, to believe, that George the first, and George the second, both saw the defects of the present church forms, and were well inclined to a reformation^f.

To the bill, the object of which was to keep the civil offices still guarded by a sacramental test, (for the abolition of which so many considerations, drawn from the truest policy loudly call,) king William, and several members of parliament were by no means favourably disposed, and there is extant a remarkable protest of several noble lords, expressed in the strongest terms of disapprobation. In the reign of Elizabeth, several bills were brought into the house of commons for improving the form, and in Charles the second's, schemes were pursued by them, for softening the spirit of the church.

I have already hinted, that the reformation was unfinished, even in the judgment of the reformers. I add, that they all expressed a disapprobation of certain ceremonies and habits. This is true, not only of Hooper, Rogers, Latimer, Farrar, Martyr, and Bucer, but even of Cranmer and Ridley themselves, before their death^g. Fox
also

^f "As these great personages had thoughts of advancing Dr. Clarke to the highest dignity in the church, it is probable, that of themselves, they would have had no objection to such alterations in the liturgy, as he was earnest, and solicitous to introduce." Lindsey's *Vindiciæ Priestleianæ*, p. 44. Burnet's *Hist. of the Reform. Dedication*. Clarke refused the archbishopric of Canterbury, rather than submit to the task of imposing subscription, according to can. 36.

^g Hooper was suspended, and even imprisoned for refusing the habits. Latimer on their pulling off his surplice at his degradation, said ludicrously, "Now I can make no more holy water." Fox. The rest also considered the habits "mere relics of popery," and exercised their drollery on them. Cranmer on their taking off his ecclesiastical habit at his degradation, said, "All this needeth not: I had myself done with this years ago." See Pierce after Fox. *Vindication of the dis*

also was of the same judgment: and the objections of the puritans, properly so called, are too considerable to pass unnoticed. For they occurred to them prior to any educational prejudices, or to their settling at Geneva, while indeed, they were within the bosom of the church. Mr. George Cranmer, a churchman, observes, that, "at the first, the greatest part of the learned of the land were either eagerly affected, or favourably inclined that way ^h." And there have been no less than seven conferences entered into for the purpose of reformation.

Since the revolution very loud complaints, in which the dissenters have had little share, have been made by ecclesiastics themselves, many of whom groan under subscription, as an intolerable yoke. Tillotson, Burnet, Patrick, Tennison, Hoadley, and no less than five, who are now on the bench, have endeavoured to have defects remedied, and I cannot help remarking the sad dilemma, into which a certain bishop was brought, when the same hand, which wrote the "history of the reformation," and of his "own times," was forced into the service of writing an "exposition of the 39 articles ⁱ." Several of our first literary characters have openly avowed their disbelief of the doctrinal articles; we have also had "protestant reconcilers," and "confessionals;" "free and candid disquisitions, drawn up by persons of distinguished learning, both from among the laity, and the clergy, addressed to the governing powers both in church and state," and in succession to

senters, p. 32. 2d. ed. This ingenious and learned writer has preserved a curious speech, made in the convocation, which sat May 23, 1604, by the bp. of saint David's, against the use of the cross. Pierce ut sup. part 1. p. 158. These may appear trifling circumstances: I mention them, to shew the spirit of those times.

^h Letter to Mr. Hooker, prefixed to his Eccles. polity, by Mr. George Cranmer.

ⁱ Confessional, c. 4.

them,

them, we have had other learned church-men petitioning the legislature. Moreover, attempts have been made by very respectable characters for the abolition of subscription in one of our universities; the chancellor, it is well known, has written to shew the expediency of a revival of the liturgy^k, and a disbelief of many of the articles is almost universal among the inferior clergy: even the party, strongly attached to the doctrines of the church, has shewn a hearty disaffection to its discipline; and a more unmanageable circumstance still, the very men, who have been for healing the breaches of our Zion, by their apologies for subscription, whatever they thought of the discipline of the church, disbelieved many of its doctrines^l.

Of late years too the voice of unitarians has sounded in the land, and is likely to grow stronger and stronger. The weight also which the number, the learning, and virtue of the dissenters, throw into the scale, is very considerable, which I shall examine more at large in another place. But the facts already alleged prove, that there is “a secret something” in the church, wherever the defect lie, which is shocking to the “general spirit” of the times.

“Christianity ought not to perish for want of ministers, churches, and instruction^m.”—Would this happen, if obsolete laws were repealed, and if a provision, more agreeable to the taste of the age, were made for the clergy? Tithes, first established by Charlemagne in the ninth

^k See a pamphlet, entitled, Hints submitted to the serious attention of the clergy, nobility, and gentry, newly associated. By a Layman.

^l I here suppose, what I think very easy to prove, that the articles are calvinistic. Hooker, Rogers, and Beveridge, were, indeed, of this judgment, and since them, Toplady and some of those called Methodists. But the writers, who at present rule the taste of the clergy, were of a contrary persuasion. Nichols, Calamy, Burnet, Waterland, Warburton, &c. were all arminians.

^m Montesquieu.

century, were with great difficulty admitted by the ecclesiastical law, and have, ever since, been a heavy burden on christendom. "The common people are hardly capable of being induced by examples to give up their own interest:" and, amid the suspicions of the people, can you ensure the comfort of the priest? To see the grievance of tithes, I do not send you to listen to the complaints of that part of the flock, who have leaped the fence, and are feeding, ye will say, in forbidden pastures. What confusion do they not cause, between shepherd and flock, who, surely, ought to live in peace within the same fold^a!

My present argument does not lead me to inquire into the expediency of an establishment; or how far the legislature had any original pretensions to interfere in matters of religion; nor yet, whether the next step in reformation may lead to a total demolition of our establishment; or whether, like what is related of that fabulous bird^b, a new establishment shall arise out of the ruins of the present, as that did from one preceding it.

All religious establishments, I am persuaded, have within them the seeds of death: they are composed of the jarring elements of human passions, they have traded in human souls, they have invaded the liberties of nations^c. But passing considerations of this kind, I maintain, that they are the work of the legislature, and those evils, which the laws have introduced, it is the business of the laws to remedy. It is true, indeed, that the natural justice of man, and prerogative, may remove some inconveniencies, and supply some defects. But erroneous opinions, long esta-

^a See a sensible hint on the abolition of tithes in Friend's Thoughts on subscription, p. 16. 2d ed.

^b Clement. Epist. ad Cor. Inter patr. Apost.

^c Hartley's Obs. on Man, vol. 2. l. 2. c. 4.

lished by law, and ruinous maxims, under the shelter of law, formed into precedents and customs, and bound on the conscience by the solemn obligation of oaths, require the correcting hand of the legislature, and from that quarter only can obtain a safe and complete cure.

As these hints, therefore, relate to the alteration of an established religion, I beg the reader to keep in mind, that I speak not of the practice of an individual, whether a tyrant or a reformer, who is for engrafting new laws on an ancient religion, nor yet of the practice of many individuals, for thirty may be tyrants, as well as one. I speak of correcting the spirit of ancient laws, which the voice of a nation declares burdensome, oppressive, unnatural. In the former case, the interest of individuals may be only concerned, whose exclusive pretensions are always ill-founded; in the latter, that of the community, whose will is the measure of law.

Plato thought “ Rhadamanthus to be admired for that course in the administration of justice, which he established. He saw that the men of those times clearly believed the existence of gods, many of that age proceeding from them, of which number, according to report, he was one. He, therefore, thought it necessary to commit the decision of justice to the gods, which he did, by putting both parties to their oath: a quick and safe way, when an oath was reckoned a sacred thing. But now, continues Plato, when we acknowledge, that one part of mankind do not suppose, that there are any gods; others imagine, that they pay no regard to us, and the most and the vilest entertain an opinion, that they can procure their favour by a few offerings, and services, and may therefore commit any crimes with impunity, Rhadamanthus’s method of administering justice would not be proper.

For men's opinions concerning the gods changing, the laws also should change¹." Montesquieu has many similar remarks.

A practice, indeed, not corresponding to this maxim, and operating to a great extent, would ruin the best government in the world. For a nation, then, must either admit these dangerous positions, that its laws rest ultimately on some ancient decisions, allowing no improvement, and that they take their weight, not from a people now united in society; or otherwise, the imperfection of the laws must introduce vagueness, and the judge must determine their meaning. The excellent Beccaria remarks, "There is nothing more dangerous than this common maxim, 'The spirit of the laws is to be considered'.²" So far as there is a necessity to explain away the letter of the law, government has no security. This must happen, where obsolete laws continue unrepealed.

These remarks, perhaps, may seem to belong more properly to the next part of this work. But from what follows, it will appear to be immediately connected with this. For, the policy of our state is interwoven with religious opinions. Admitting, then, for the sake of argument, that human laws should interfere in religion, or at least, arguing from the fact, that they have interfered, I contend, that laws, proper 200 years ago, or supposing them proper, can have no propriety in 1792, because, in the leisure of 200 years, considerable defects have been detected in our present church forms; because, the ecclesiastical rule for governing the human understanding by subscription has proved deficient; because, great advances have been

¹ Μεταβεβληκυτων ουν των περὶ θεῶν δοξῶν ἐν τοῖς ἀνθρώποις, μεταβάλλειν οἱ καὶ τὰς νόμους. Plato de Leg. l. 1. 12.

² Essay on crimes and punishments, c. 4.

made in religious knowledge; in a word, because an increase of light in the nation has damaged the whole system, supported by subscription: and legislators, politicians, and philosophers, all agree, “ That a bad practice should be abolished^s.” What must otherwise be the consequence? I blush to utter it, but, if I had a power equal to my wishes, I would proclaim it to the whole world: popular errors, still remaining established by law, will continue to receive public encouragement, and TRUTH be reckoned a disgrace. Weak men, who think they can govern mankind, bad men, who will dare to deceive them, and good men, still in bondage to little prejudices, or not being capable from the drowiness of false devotion, to strike into the less trodden path of free inquiry, will have the public smile, and receive the compliment of orthodoxy.—But who, think ye, will be the heretics and schismatics? Here again I blush for orthodoxy.

Ye Sidneys, Miltons, Newtons, Lockes, and Clarkes. Ye Biddles, Whistons, and Hartleys! Ye Fosters, and Lardners, and Lelands, and Emlyns, and Taylors! Ye all shall be among orthodox english churches^t, what those illustrious

^s *Malus usus abolendus est*, is an established maxim of the law, says Blackstone. Commentaries, &c. introd. p. 76. 4to ed.

^t These eminent men were all, except Milton, either arians or socinians. At the close of life, indeed, Milton seems to have altered his doctrinal sentiments; from being a calvinist, he not only became an arminian, but, not improbably, an arian. Toland's *Life of Milton*. Whiston was a baptist; he also informs us, that Sir Isaac Newton, and Dr. Clarke, were of the same judgment. Whiston's *Memoirs*, written by himself, p. 178. Milton was dreadfully heterodox in discipline. He left high church and low church, and worshipped God in spirit and in truth: whether it was that he was wearied with the bickerings and contentions of party, or thought that all churches had some remains of superstition, and affected a dominion inconsistent with his love of liberty, or that he thought no religious rite was obligatory on christians: See Toland's *Life of Milton*.—Algernon Sidney
also

illustrious foreigners Socinus, Crellius, and Abauzit, were abroad.—Ye shall be heretics and schismatics! Ye dared to disclaim the doctrine, or the discipline of orthodox churches: Whence did this happen? Ye were possessed of superior talents; ye had enriched your understandings with all the treasures of human science; and with pious dispositions, disinterested views, and philosophical accuracy, ye had studied the sacred scriptures: yet ye all departed from our standards of orthodoxy; I maintain, on the principles of our establishment, that ye were all schismatics, or damnable heretics. Whence did this happen?—Let uniformity be established in a nation at large, or professed in a meeting-house:—let men be invited to believe what they do not understand:—let men of unequal capacities be forced to the same exertions:—let genius be curbed, and dulness over-driven:—let a nation advance in knowledge, yet not alter its practice:—let men still repeat the same creeds, practice the same ceremonies, subscribe the same articles, and utter the same anathemas:—let defects be acknowledged, but never remedied; let them in private be ridiculed, and even lamented, but in public still treated as fa-

also was alike averse to all religious establishments, and kept aloof from all christian societies. See his Memoirs prefixed to his disc. on gov. Of Locke, I have heard an eminent divine in the church say, he thought himself wise, and would needs leave the bleatings of the flock; when a thousand silly sheep leaped the fence to run after him. It seems, (though Locke never actually separated from the church) that when he lived at Oates, he used frequently to attend the preaching of a dissenting minister, in order to bear testimony to his principles of liberty. The editors Pref. to Letters on Toleration, 1765. That he had no predilection for the church of England, is apparent from some words in his last illness. Biograph. Britan. Locke. Dr. Watts (who certainly ranks among the greatest scholars of this country) invoked "fair charity" (see his lyric poems) to find Locke in the heavenly regions. Some have since invoked fair charity to find the doctor; and more charitable still, say, the learned doctor was touched in his head, before his death.

cred:

ered: let maxims of church policy thus oppose the first principles of common sense, and the customs of a nation, formed by those maxims, be at variance with the improvements of reason:—let this, I say, be done, and a consequence will soon follow: parsons may preach, and the people may believe; but men of genius will get the start of divines, philosophers will not stay for reformers.—This, first, is heresy.—Priests have not always been the wisest men in nations; but they have usually retarded those improvements, which the times have called for^u.

I cannot allow myself to proceed to the next chapter without remarking, that Plato, Montesquieu, and Beccaria, appear to me to speak more agreeably to the nature of things, than the learned archdeacon of Carlisle. “In religion,” says Mr. Paley, “as in other truth, if different religions be professed in the same country, and the minds of men be unfettered, and unawed by intimidations of law, that religion, which is founded in maxims of reason, and credibility, will gradually gain over the other to it. I do not mean, that men will formally renounce their ancient religion, but that they will adopt more rational doctrines, the improvements, and discoveries of neighbouring sects, by which means, the worse religion, without the ceremony of a reformation, will insensibly assimilate itself to the better^w.” Let these remarks be compared with what Mr. Paley says on relaxing the terms of subscription, according to the varying circumstances of the times, and that gentleman’s sentiments on a very interesting subject may be collected, with which also a great part

^u Lord Bacon well remarks, somewhere in his *Essays*, that nothing leads men into more fatal errors, than mistaking cunning men for wise.

^w Paley’s *Principles of moral and political philosophy*, b. 6, c. 10.

of the more informed clergy have long agreed. Divines do not always speak out their whole meaning. I will, therefore, take the liberty of giving, what appears to me, the full import of Mr. Paley's concessions. We plead for an establishment, but acknowledge the gross imperfections of our own; we confess the grievous errors of our religious system, but are incapable of reforming them: we live in a land of liberty, where the light of truth shines: and neighbouring sects have embraced more rational doctrines. But we are shackled by subscriptions, intimidated by oaths, and - - - - - . We will adopt their modes of thinking, but still subscribe the same articles, repeat the same creeds, bind ourselves by the same oaths, and submit to the same canons, venerable with the rust of ancient errors. Reformation is not safe - - - - - .

If we choose to consider our present establishment, as bearing any analogy to the ceremonial law of the jews, we should recollect, that the latter was barely equal to the wants of a particular period, and introductory to a permanent œconomy; that it was mutable in its very intentions, and, even during its continuance, left room for practices, not absolutely commanded, correspondent to the circumstances of the times. Shall positive laws, which had a divine Author, give way, and, Shall human imperfections, known too, and acknowledged to be such, be perpetuated? Mr. Hooker has made some judicious remarks on positive laws, and Mr. Paley would have pleaded a better cause, I think, if he had applied the reasoning of Mr. Hooker on the mutability of positive laws to that of human creeds, and church polity*.

* Eccles. Pol. l. 3. 10. to the end. See also l. 1. 15. Mr. Hooker excepts from the number of positive laws what he calls the two sacraments.

Mr. Locke, speaking of the imperfect “measures of representation” in this nation, observes, “Whatsoever cannot but be acknowledged to be of advantage to the society, and people in general, upon just and lasting measures, will always, when done, justify itself: and whenever the people shall choose their representatives upon just and undeniably equal measures, suitable to the original frame of the government, it cannot be doubted to be the will and act of the society, whoever permitted or cause them so to do”. This he makes the province of “prerogative,” which, it must be acknowledged, is, in many cases, a merciful provision: but for reasons, foreign to this part of my Inquiry, dangerous in the present instance. Evils introduced by the laws, the laws must remedy.

Ineffective laws weaken the authority of those, which are allowed to have an importance. Nothing renders legislation so contemptible as trifling. Among the Romans, the *falcidian* law ordained, that the heir should always have the fourth part of the inheritance: another law allowed the testator to debar him of it. In England the canon law and the law of the land are at variance. This is trifling. The canon law should, at least, be altered.

In this chapter I reason on the principles of one, who admits the expediency of an establishment. My real sentiments on this subject, I shall deliver in another place.—But, do we, in the year 1792, erect a ridiculous standard to the god *Terminus*, and say, “*concedo nulli?*” This trifling will create a “sigh or a smile” in posterity.

¹ Locke on Government, b. 2. c. 13. § 158.

CHAP. VIII.

WHETHER SUBSCRIPTION WILL NOT CREATE PREJUDICES AGAINST RESPECTABLE MEN, AND AGAINST OPINIONS THAT MAY BE TRUE.

I HAVE already observed, that subscription tends to lay an early prejudice in the mind towards opinions, which may prevent the free exercise of reason in future life. Must we not also take into the account those prejudices, which subscription will, probably, dispose us to indulge against men deserving our respect, and against opinions, which may prove true? Our articles and service book were drawn up when religious inquiry was subject to severe restraints, and are so expressed, as to create those prejudices, if the present enlightened times had not given men a more liberal turn of thinking. This evil cannot be too much lamented!

In the early ages of the church the various opinions of the platonists, aristotelians, stoics, and epicureans, gave rise to a sect of philosophers, called eclectæ, as they had before to the sceptics. The leading principle of this sect was plausible, though it terminated in extravagance. Supposing, that the whole system of divine truth was not confined to one sect, but that it lay dispersed among all, the eclectics made it the province of human sagacity to collect it together*. And how greatly doth it tend to the enlargement of the human faculties to associate with different sects, and to examine their different opinions!

* See Endfield's History of philosophy, vol. 2. b. 3. s. 4.

By

By increasing our stock of ideas, we collect new materials for reasoning, and enlarge the boundaries of science. But how often are our reasonings disjointed, and our conclusions unfairly drawn, because we are not in possession of those truths, which would have kept our reasonings straight, and made our conclusions just! For those, who have the greatest variety of intermediate ideas, and the happiest address in the application of them, will be the best reasoners. Some truths cannot be found on the soil, where we were born, but might, perhaps, be easily discovered, by searching for them in a more remote quarter: and by the assistance of these truths, as mediums of just reasoning, we might have discovered some defects in our ethics, some solecisms in our notions of government, and some heresies in our religion. Whereas, by suffering our prospect to be confined too soon, we are left strangers to those regions, which might have amply repaid our search.

Mr. Locke, speaking of people, who thus contract their views, and who are, therefore, very often mistaken in their judgments, remarks, “ The reason whereof is, they converse with but one sort of men, they read but one sort of books, they will not come to the hearing but of one sort of notions. The truth is, they canton out to themselves a little Goshen in the intellectual world, where light shines, and as they conclude day blesses them; but the rest of that vast expansion they give up to night and darkness, and so avoid coming near it. They have a pretty traffic with known correspondents in some little creek; within that they confine themselves, and are dexterous managers enough of that corner, with which they content themselves; but will not venture out in the great ocean of knowledge, to survey the riches which nature has stored other parts with, no less genuine, no less solid, no less useful, than what

has fallen to their lot in the admired plenty, and self-sufficiency of their own little stock, which to them contains whatever is good in the universe." If men would ingenuously look abroad in the world beyond their own circle, churchmen and dissenters might, perhaps, find candour, learning, piety, and truth, where they little expect them. And nothing would assist us so much in "bottoming our principles," as Mr. Locke expresses it, like such an intercourse with different writers, and such an interchanging of ideas: but it scarce admits of a doubt, whether subscription has not frequently produced a contrary effect ^a.

CHAP.

^a On reading the articles, and on comparing them with the spurious creed of Athanasius, Have not many concluded, that Socinus, and Crellius, must then, indeed, be "devils?" On examining the articles, canons, and college statutes, Have not many imagined, that every "anabaptist" was a libertine and an enthusiast? And on perusing certain public acts in Charles the second's reign, Might we not infer, that no just political sentiment ever entered the brain of a quaker? All these men espoused sentiments, for which, in the judgment of our forefathers, some of them would be damned in another world, and for which, they should either be burnt, or imprisoned, or transported in this.

Yet nothing is less true than all this. To Faustus Socinus, I will venture to apply what the noble writer of his life says of Lælius. "*Hujus ego viri memoriam maxima posteritatis admiratione dignam censeo, qui tantillo quo vixit tempore tot tantisque errores, qui in ecclesiam furtim irreperant, non modo suis vestigiis odoratus est, sed ex ipsis cubilibus extractos primus jugulari docuit.*" *Vita Socini conscripta ab equite Polono, Operibus suis præfixa.* The life of this eminent man is written in english by a respectable baptist minister. See Toulmin's *Life of Faustus Socinus*. Crellius too, was no less distinguished a character: and of such men it was, that Grotius could say, *Illud vero seculo gratulor, repertos homines, qui neutiquam in controversiis subtilibus tantum poterant, quantum in vera vitæ emendatione, et quotidiano ad sanctitatem profectu.* Grotii ad Joh. Crellium Epist. in qua gratias ipsi agit pro responso ad suum librum de satisfactione Christi. Crellii Op. v. 3.

"There is hardly a good criticism in our modern expositors, Mr. Locke, Dr. Clarke, Dr. Benson, Dr. Taylor, Messrs. Pearce and Hallet, and Dr. Sykes, but
what

CHAP. IX.

WHETHER THE ATHENIAN TEST OATH COMPREHENDS
WHAT WILL APPLY TO UNIFORMITY OF SENTI-
MENT.

WHATEVER respectable sentiments I entertain concern-
ing the various excellencies of the writers, mentioned in
the last note of the preceding chapter, the reader will please

what is to be found in the *Bibliotheca Fratrum Polonorum*," says Dr. Harwood.
Bp. Watfon's *Theol. Tracts*, vol. 6. Appendix.

There are, perhaps, not to be found extant more rational notions of religion in
any writings, than in the *Brevis discussio*, alluded to before, or the sermons of
the celebrated Dr. Foster. I have only read one volume of the latter, but scruple
not to say with Mr. Pope,

Let modest Foster, if he will, excel
Ten Metropolitans in preaching well.

Of Mr. Pen, the celebrated Quaker, Montesquieu observes, "Un legislateur
honnête homme a formé un peuple, ou la probité paroît aussi naturelle que la
bravoure chez les Spartiates. M. Pen est un véritable Lycurgue, et quoique le pre-
mier ait eu la paix pour objet, comme l'autre a eu la guerre, ils se ressemblent
dans la voie singulière, ou ils ont mis leur peuple, dans l'ascendant qu'ils ont eu sur
des hommes libres, dans les préjugés, qu'ils ont vaincus, dans les passions qu'ils ont
soumises. De l'Esp. des Loix, l. 4. c. 6.

Speaking as an Englishman, I say, no man had the interest of his country more
at heart, and, few men have written better on some parts of civil government,
than the ingenious William Pen.

Mr. Pen's "select works," are contained in five volumes. I am strongly
inclined to think, that those political writers, who have ruled the taste of the
nation for this last century, have been much indebted to them. Let prejudice be
blind to the excellencies of these men, who have deserved the reputation, which
others have frequently received! Of each of them, I say, *Tecum vivere amem,
tecum obeam libens*.—I have been speaking of Mr. Pen's "political" tracts,
which make part of his "select works."

to take notice, that the present argument does not oblige me to side with either. I must be supposed to have interfered hitherto with religious sentiments no further, than the natural rights of mankind, or the powers of the human understanding, have been concerned. The design of the former chapter was to shew, that a subscription to irrational systems tends to lay in the mind unwarrantable prejudices.

But the mention of the name of Mr. Pen brings to my remembrance that of bishop Warburton^a, which, again, reminds me of a promise, made the reader, concerning the athenian test oath.

If this had been produced by our church-statesman, merely to prove, that the athenian government required a religious test, he might have spared his pomp of words. It was a matter of easy proof. But as it was certainly meant by him to serve also the purposes of religious establishments, and has been frequently pleaded in defence of uniformity of religion, I shall inquire, How far it answers those purposes? Though it must be acknowledged, that bishop Warburton did not undertake to prove the truth of any particular system of religion, but the utility arising from the connection of religion with government in general.

The athenian test oath, quoted by Stobæus from the Apothegms of the ancient pythagoreans, was as follows :

“ I will not dishonour the sacred arms, nor desert my comrade in battle. I will defend and protect my country and religion, whether alone, or in conjunction with others. I will not leave the public in a worse condition, than I found it. but in a better. I will be always ready to obey

^a Alliance, b. 3. c. 3.

the supreme magistrate with prudence, and to submit to the established laws, and to all such as shall hereafter be established by full consent of the people; and I will never connive at any other, who shall presume to despise or disobey them, but will avenge all such attempts on the sanctity of the public, either alone, or in conjunction with the people; and lastly, I will conform to the national religion. So help me those gods, who are the avengers of perjury^b." There are one or two little circumstances mentioned by other writers, which I drop, as having nothing to do with the present question: and I give the oath in Warburton's translation, to avoid the strife of words.

Here I might ask, How the "submitting to the established laws, and whatsoever shall hereafter be established by full consent of the people" will apply to our canons, which were never authorised by our established law? Some might inquire, How far it applies to the imposition of 39 articles, seeing, according to them^c, there is no act of the legislature, made by consent of the people, which demands such subscription? It might be further inquired, Whether the reformation was not begun, and advanced, at a time, by persons and means, which scarce allow us to ascribe it to the fair and uncontrolled judgment of the legislature? And further still, I might ask, Whether that

ἡ οὐ κατασχυνὼν ὅπλα τὰ ἱερὰ, ὑδ' ἐγκαταλείψῃ τοῦ παραγαγῆναι, ὅτῳ ἀν-
τισησῶν. ΑΜΥΝΩΔΕ ΥΠΕΡ ΙΕΡΩΝ, καὶ ὑπὲρ ὁσίων, καὶ μοιῶν, καὶ μετὰ
πολλῶν τὴν πατρίδα δεῦκ ἐλάττω, παραδῶσω πλείν δὲ καὶ ἀρείω, ὅσῳ ἀν-
πα-
ραδέξομαι: καὶ εὐκοπῶν τῶν ἀεὶ κρινόντων ἐμφορῶς, καὶ τοῖς θεσμοῖς τοῖς ἰδρυμένοις
πείσομαι, καὶ ἢς τίνας ἀν' ἄλλης τοῦ πλεονῶντος ἰδρυσθῆναι ὁμοφρονῶς, καὶ ἀν' τις
ἀναίρη τῆς θεσμῆς ἢ μὴ πείθεται, ἢκ ἐπιτρέψῃ, ἀμυνῶ δὲ καὶ μοιῶν, καὶ μετὰ
πάντων. καὶ ΙΕΡΑ ΤΑ ΠΑΤΡΙΑ ΤΙΜΗΣΩ. ἰσχυρὸς θεὸς τούτων. Stobæi Sent. de
Repub. Ser. 41. p. 243. Ed. Lugd.

Archdeacon Blackburne, Mr. Selden, and others.

part of the legislature, which expresses the wishes of the people, have not made repeated attempts for altering, improving, and abrogating particular imperfections; and finally, Whether the reigning sentiments allow us to say, that the 39 articles are declarative of the present religious sentiments of the nation? But questions of this kind belong to another place.

Now admitting that the rites, ceremonies, sacrifices, and temples of the ancient Athenians were regulated by law; that the fees of their priests were directed by the civil magistrates; and that the priests themselves were even responsible to them for their conduct while in office^d; admitting too, (notwithstanding the infinite variety of their gods, and consequently, the great diversity of their rites,) that no new god could be admitted without the sanction of their “most sacred and venerable tribunal^e”; in a word, admitting the full import of the present oath, viz. that the religion of the Athenians was established by law, still I wish to be informed, Whether from all antiquity there can be produced any example of a standard of orthodoxy, any formulary, expressive of “a uniformity of sentiment?”

As I incline to think, no positive proof can be produced in favour of this notion, I shall advance some probable arguments to prove the negative, viz. that no such notion was ever entertained.

It will be observed, then, that this oath, declarative of an attachment to the national religion, must relate to the gods in general, without any definition of their nature, and to their country rites, without specifying any particular doctrines. And thus runs an ancient law of Draco's. Let it be a law among the Athenians for ever sacred and

^d *Æschines in Ctesiphontem*, p. 18. edit. Oxon.

^e *The Arcopagus.*

inviolable,

inviolable, to pay proper worship to their gods in public, and native heroes, after the usual customs of their country. So also Pythagoras speaks, “ First, honour the gods, as it is laid down by law,” &c^f.

The directions of the other grecian legislators run in the same general strain. In the preface to the laws of Zaleucus, preserved in Stobæus, where it is said, That those who inhabit a city should worship the gods of their country, though some remarks are made concerning those dispositions, which should accompany the worship, we have no hint concerning any speculative opinions^g.

Whether the ancient legislators were too wise, or too ignorant, to lay down precise rules of faith, I will not determine. This is certain, that the different philosophers, and their disciples, were so many different parties in religion, maintaining almost endless opinions on subjects, which would have been ascertained in a public formulary, any way resembling ours. Their notions had been so diversified only concerning the ends of good and evil, as to prepare the way for the refinements, which took place in Varro's time, when no less than two hundred and eighty-eight opinions might have been formed on that single article^h.

Further, Whence was it, I have often asked myself, that we hear not among the grecian states of disqualifications, proscriptions, imprisonments, and deaths, for religion? Amidst all the contentions of the ancient philosophers, maintained in open day, and supported with all the form of argument, they differed from each other, they dif-

^f Pythagoræ *Xeyra enn.* v. 1.

^g Proœmium Zaleuci Legum apud Stobæum de Leg. & Consuet. page 279. Edit. Lugd.

^h Aug. de Civ. Dei, l. 19. c. 1.

ferred frequently from themselves, yet nobody paid them such coarse compliments as were afterwards addressed to HERETICS. Will any one choose to say, "They acted with the vulgar, but thought with the wise?" It will be more generous, and, perhaps, safer to say, They had no "harmonies," no "concord," no "thirty-nine articles." Articles make heretics,

"But did not the grecian states punish for religious sentiments?"—Protagoras doubted, whether there were any gods; Diogenes denied their existenceⁱ; Andocides profaned the mysteries of Ceres, and mutilated the statues of Mercury^k. The athenian laws meant to suppress atheists^l, and to punish those who opposed the national gods, such also who profaned their mysteries, pillaged their temples, or defaced their statues: but they did not require uniformity of sentiment. Immoral and atheistical writings were censured; but even the books of the epicureans, who denied a providence, and a future state, were not suppressed^l.

"But the athenian reformer suffered death for his religious sentiments." It is certain, he suffered death; but, that he suffered death for religious opinions, some say, is not so certain. All who thought "they knew something," the objects of his irony, became enemies to Socrates, who professed to "know nothing," but whom the oracle declared the wisest of all men^m. And to their malice, putting a false construction on his conduct, and giving a forced interpretation to the laws, Socrates, they say, fell a victim. To say the most, however, in Socrates we behold the single example (in the grecian states) of a man

ⁱ Cicero de Nat. Deorum. l. 1. c. 1.

^k Isæus Orat. contra Andocidem ἀσεβειαν.

^l Toland's Life of Milton, p. 62.

^m Apol. Socratis.

suffering

suffering death for religion. But, Do we read of any act for uniformity of sentiment? Any ordinances, subjecting to imprisonment and the pains of death, for a crime similar to that of thinking awry on a trinity in unity?

I will not detract from the character of the "divine Socrates," surpassed by none, perhaps, but the great "Exemplar of moralsⁿ." He was enlightened beyond any man of the ancient world. But in his admired apology he adured the public gods^o, and at his death did homage to the religion of his country^p. He thought freely, but, perhaps, did not suffer death merely for thinking.—Remarks similar to these will apply to the republic of Italy.

Oh! man, I venerate thy nature. I will admire the noble, the sublime, the majestic human form, though under the complexion of the sooty African: and I will listen to the voice of reason, the prerogative of man, among Chinese and Tartars.

"There are certain ideas of uniformity," says Montequieu, "which sometimes strike great geniuses (for they even affected Charlemagne), but they infallibly make an impression on little souls. They discover therein a kind of perfection, because it is impossible for them not to discover it. The same weights in the police, the same measures in commerce, the same laws in the state, the same religion in all its parts. But is this always right and without exception? Is the evil of changing always worse than that of suffering? And does not a greatness of genius consist in distinguishing between cases, in which uniformity is re-

ⁿ Bp. Law's Life and Character of Christ, 5th ed.

^o Apol. Soc. p. 81. & passim. edit. Forster.

^p Plat. Dial. *περί ψυχης*, page 313. Edit. Forster. This I think the most probable inference from his requiring a cock to be offered to Æsculapius.

quisite,

quisite, and those, in which there is a necessity for differences? In China the Chinese are governed by the Chinese ceremonial, and the Tartars by theirs, and yet there is no nation in the world, that aims so much at tranquillity. If the people observe the laws, What signifies it, whether these laws are the same?^a”

And if people are disposed to think, What signifies it, whether they all think alike?

CHAP. X.

OBJECTIONS ANSWERED.

1. **BUT** it has been objected, that subscription is found necessary to prevent error from entering the church.

I introduce this objection again, (which hath, in fact, already been replied to,) for the sake of Dr. Waterland's remark. “More regard is to be had,” he says, “to a select number of wise men, than to a few conceited opiniators.” Dr. Clarke was one of these “conceited opiniators^a :”—and the conceited opiniators, who have objected to the doctrines of the church, will be found among the wisest men, that this nation, or any other, ever produced.—He adds, “All protestant churches have took to this way of securing the truth”—I could point, however, to some reformed churches, which never did. It is just in the doc-

^a Esp. des Loix. l. 29. c. 18.

^b Waterland's Case of arian Subl.

for to acknowledge, “ that this is not an infallible way of securing the truth.” But the church of Rome then hath abundantly the better in this argument—“ I am infallible,” she says, “ therefore I lay down the truth”—But the church of England acknowledges, that all the churches have erred; she denies not, that herself may err, and yet she seats herself in the infallible chair, and, by help of the civil magistrate, is for securing the truth.

2. Other writers, asserting the prerogative of reason, will not allow human imperfections to overtop its pretensions, by a claim of infallibility. Our church, no less than other churches, say they, is liable to mistakes: our articles are not articles of truth, nor even of opinion; but of peace, and mutual forbearance: soft and soothing soporifics, it seems, to lay asleep the violent passions of divines, and to keep them from quarrelling. Generous provision! I wish it had succeeded. But, unfortunately, the history of the articles shews, that they are to be subscribed to avoid diversity of judgment. A proposition, containing an interpretation of scripture, and addressed to the judgment, is an opinion; and, vice versa, an opinion on a doctrine of scripture, drawn out in a proposition, is an interpretation of scripture, supposed to be true.

3. Some again, who call themselves the advocates for free grace, are alarmed at what is called rational christianity. “ The religion of Jesus,” they say, “ is a divine revelation, not subject to the laws of philosophy. It must, therefore, be perfect and give laws to reason; but shall reason prescribe rules to revelation?” I have already observed, that certain divines maintain, “ the more mysterious a divine revelation is, it has so many more degrees of probability; that the more a doctrine exceeds the comprehension of reason, the more reasonable it is to embrace

it ^b.” “There is also,” it is said, “a certain great power, or spirit, accompanying the preaching of the gospel, the subjects of which experience an agreement in the great leading truths.” Those who experience not this agreement, we may love, indeed, as men, but cannot embrace as christians. Subscription is the wall of separation.

I reply, the present question regards not the truth or falsehood of christianity; but relating to the original frame and constitution of the human mind, stands, like the former, on natural rights, independent of christianity. In vain ye ask me, Are you a child of grace? My question ought to come first, Am I not endued with reason? If this great power counterfact the principles of reason, it will be difficult to convince me, that it is divine. I ought not, and indeed, strictly speaking, I cannot believe any doctrine, contradicted by my reason, or which cannot be comprehended by it. However, I avow my belief of christianity—but still ask, if this power produce unity of faith, How is it, that different churches, all laying claim to the same divine influence, present us with different confessions?—The quaker tells me, All men have a measure of saving grace; the arminian, that all may have it, who seek it; the calvinist, that none are favoured with it, but the elect.

4. Some sensible writers have found a way to alleviate the severity of subscription thus. Suspicious of every encroachment on the sublime faculties of man, and incapable of making certain mysteries wear any reasonable appearance, they say, “A trinity in unity!” It surpasses every stretch of our reason!—That a son should be begotten of a father, and a holy ghost proceed from both, and yet that “none should be before or after the other,

^b Beveridge on the thirty-nine articles, and his *Private Thoughts*; and the people called methodists.

none greater or less than the other," we can reconcile neither to reasonings a priori, nor a posteriori. In our world we have nothing analogous to it; to a society of rationals, such propositions appear contradictions. And in vain we search for an intermediate idea, to shew, that two contradictions can have a connection. We subscribe, then, continue they, to no fixed sense, but to "any sense the words can bear"—"so far, as they are agreeable to scripture," or in that sense, in which they are agreeable to scripture^c."

I reply, the articles and creeds are set forth as the true sense of scripture; How then can we take them so far as is agreeable to scripture? This mode of subscription, indeed, supposes, they have no true sense, indeed no sense at all. As to the other form, "in that sense in which they are agreeable to scripture," I maintain they have, and ought to have but one sense. When, therefore, we approach the articles with such reserves, and are for thus making our own terms, Are we not taking possession of a ground already occupied? That the articles are not contrary to scripture, is determined already, nor is there left us a right of private determination.

5. Some again plead the unavoidable imperfection of human establishments. In this objection the necessity of some religious establishment is supposed. These imply "some public forms; public forms require some leading truths, agreeably to which they are to be framed; and the leading truths require a standing clergy to teach them—all which necessarily introduce subscription^d."

On the necessity of establishments I shall speak in another place—At present I would observe, that if our establishments, or even christianity itself, throw impediments

^c Dr. Clarke's Reply.

^d Archdeacon Paley.

in the way of the human understanding, or set its different powers, as it were, at variance, I shall not scruple to give them all up. For, however plausible an appearance they should seem to make, there must somewhere be a defect. Can any thing be true, that contradicts self-evident principles? Any thing natural or rational, that counteracts the order of nature, and disorders the whole province of reason? But, were an establishment granted, subscription does not appear to me necessarily to follow—particularly, as there may be a “mechanical way of teaching established doctrines, which is, for the teacher to have no opinions of his own.”—And even granting the necessity of some subscription, our present mode, in my opinion, would be liable to insuperable difficulties.

But if subscription be so irrational a concern, Whence is it, that so many men of strong reasoning powers subscribe? Many sensible men, no doubt, act under the shelter of ancient prejudices; while others, though secretly suspicious of the truth of the present system, may think it, perhaps, hazardous, to go against the tide of popular opinion. Some, perhaps, though acknowledging the errors of the present establishment, may suppose some establishment absolutely necessary. And others may even be allured by the prospect of usefulness.—But an evil, of so large a growth as subscription, may not be flattered. With every possible concession, then, made within the secret of my heart, for all sincere men, I say,

1. Philosophers sometimes play the sophist. A sophist is one, who, by a specious and false kind of logic, makes the worse appear the better cause, throwing into the scales of error those arguments, which ought to give weight

* Dr. Hey's Syllabus of Lectures.

to truth. I believe, says a philosopher, the newtonian system, but I will reason on the principles of the ptolemaic.—Dangerous sort of reasoning this, when applied to moral subjects! What evil consequences may not follow, when men vindicate error to shew their parts, and subscribe to its truth, to get the better in an argument!

False reasoning, indeed, may proceed from various causes, and he who uses it may be an honest man. But sophistry proceeds from a design to impose on ourselves, or to deceive others. There are not a few, who say, that “the articles have one sense, and that the sense of the nation is another;” that, therefore, “the literal and grammatical, is not the true sense,” or, that though “we subscribe the articles in the sense of the reformers, we may believe them in the sense of the nation.” Then again, we are told, that some of the articles have “two senses,” both true, so that a “calvinist or arminian may with equal sincerity subscribe them, though an arian or socinian cannot:” that some of them, more comprehensive still, have even “three senses, all true,” and, at length, to ease all scrupulous consciences, it has lately been insinuated, that the present times are liberal and enlightened above all others; that the candidate for holy orders, and the right reverend divine who ordains, must be supposed to have availed themselves of modern improvements, and to understand each other: for, though there be, indeed, an old form, which says something about a literal and grammatical sense, yet it means nothing, *vox et præterea nihil*^f. Thus, by help of a “tacit reformation,” all things continue the same, yet all things are altered. Now, I have read many episcopal writers, on different sides of this question, who charge each other with sophistry. On whom the charge

^f Dr. Hey, *ut sup.*

falls, or whether it falls on either, I venture not to decide. Where men's intentions are truly upright, and they even speak to the best of their judgment, I must still beg leave when they make such assertions, to call them conclusions, drawn from false premises. But if they really meant to impose on us, and their judgments were better informed, their conclusions then I call sophistical, depending on these sophisms: That, truth hath a changeableness of nature; that, faith has nothing precise and determinate; and that, we may profess falsehood to be truth, and yet retain a character of integrity. In either case, they lay a foundation for sophistry among subscribers; many of whom, as men of reason, are averse to subscription, but by help of a little sophistry first beguile themselves to submit to it, and plead for it afterwards, as a reasonable practice.

Again, philosophers may sometimes sustain the character of politicians. A politician I call one, who studies the art of governing mankind. A rare and superior being! Now when philosophers turn politicians, they are for finding the readiest way to obtain their ends. What must be done? They study the prejudices, the weaknesses, and the fears of mankind. They find, that men are wont to be over-awed by superstition, and, that when under an ecclesiastical muzzle will follow, without reluctance, wherever they are led.—These gentlemen laugh at subscription and priestcraft, but still think subscription is an admirable provision for frail mortals, and even priestcraft itself a necessary evil. Sir Henry Wotton once said, That an ambassador was one sent abroad, *mentiendi gratia**. A politician is, sometimes, one kept at home for the same purpose.

* *Legatus est vir bonus peregre missus mentiendi gratia.* Sir Henry Wotton's Life prefixed to his Remains.

3. Philosophers

3. Philosophers may sometimes be divines. A divine is a serious character, but the most serious part of it is, that all his flattering prospects, and golden hopes rise out of subscription. Ask a true disciple of Confucius. What is a divine? He would reply, perhaps, many are the priests of Foe, but few are the ministers of truth. The disciples of Mr. Robert Barclay would answer: A divine is a tradesman, the church is a market, preferments the matter of sale, and subscription the ready money, with which you traffic. No subscription, no preferment. Men of superior parts may find, without difficulty, plausible reasons for what they secretly disapprove. Quatenus philosophers, they may object to the terms of subscription; yet quatenus politicians or divines, they may plead in its defence.

But, Is subscription to 39 articles so irrational? Subscription to any articles cannot be justified on any principles of reason: whatever be their number, and wherever they be fabricated, whether at Trent, at Lambeth, at Dort, or at Westminster, all alike tend to enslave the understanding, and to retard the progress of truth. Let not what has been said, therefore, be confined to the established church. I am inclined to think, that many, who would pass for friends to intellectual liberty, and indulge no favourable sentiments towards our present establishment, will be found also to have betrayed their goddess into the hands of enemies. I mean some protestant dissenters. We will not, say they, subscribe 39 articles—we will call no man master. This is well spoken; yet, Is not an entrance into many of their churches and academies guarded by conditions equally oppressive to the human mind, equally unfriendly to religious truth? Have they not also got their fundamental articles, their essential points, their great leading truths? What becomes of their intellectual liberty,

say churchmen? May not five points enslave the human understanding, as well as 39? Where is, then, the great difference between the members of the church and of a meeting, except, that the latter are not intrusted with the liberties of mankind, nor in alliance with the civil powers? They are not in the saddle, and therefore cannot ride.

Those who have known me, since my connection with dissenters, cannot suspect, that I indulge prejudices against any party. I have had intercourse with most of the sects, and engagements with many societies. My conscience bears me testimony, that I have in the most disinterested manner wished their good, and that I still feel a sincere concern for their true dignity. But I say, if the enemy hath also sown tares in dissenting churches, and academies, dissenters should pluck them up, or be silent on the subject of subscription.

I say, they should pluck them up—For I must still avow, that they breathe an air, which encourages the noblest exertions. If they retain some principles and practices, the remains of ungenerous and irrational systems (carried over by them from communities, formed by the kingdoms of the world) these certainly bespeak a defect—it becomes them to examine where the defect lies, and it will reflect honour on them to search out for a remedy. Indeed, many of their churches and academies have never bowed the neck to any taskmasters; and, of late years, one institution has been erected, which, it is to be hoped, may be a model to the rising generation. On its excellencies I shall not take upon me to enlarge: it is sufficient for my purpose to observe, what I have hinted before, that the shadow of a subscription is not found in it. The rational faculties receive no interruption there.

As

As to the church, (for with that I am here more immediately concerned,) I will be free to say, that no material reformation can be made in it, that involves not a rejection of subscription to 39 articles. Such an establishment, (though I am happy it does not fall to my province, to defend any form of an establishment whatever) would be more plausible, perhaps more durable, and a scheme of this kind has been proposed by several very able men. But, as to the present ecclesiastical constitution, the more it is considered in relation to the human understanding, the more, if I may speak so, it is founded by those, who have no interest to serve in supporting it, the more, I am inclined to think, they will be disposed to say, Tinnit, inane est.

PEACE to those gentle philosophers, who feel a reverence for the understanding of man ! Who, being taught, that what shackles, debases it, are aiming to remove every chain. Whether they be churchmen, or dissenters, whether they instruct in our churches, preside in our academies, take part in the management of public affairs, or adorn private and domestic life, peace be to all, who with patience, and yet with zeal, are “ cultivating the barren spot, discerned only by a few ^h,” remembering, *nihil agitur, dum aliquid agendum.*” We rend the air with shouts before the conquerors of mankind ; but these are the men, whom the wishes of a nation should immortalize !

^h Beccaria,

PART III.

HOW FAR IS SUBSCRIPTION CONSISTENT WITH THE PRINCIPLES OF THE BRITISH CONSTITUTION?

CHAP. I.

THE PRINCIPLES OF THE BRITISH CONSTITUTION.

THERE is a noble pride, which is always characteristic of a nation of freemen. Such were, once, the little independent states of ancient Greece: such too were the Romans in the happier days of their republic: urged by the strong passion, love of liberty, they stand foremost in the page of history, challenging the admiration of ages. They were truly, in comparison of the governments, then existing, *principes terrarum populi*^a. Britons too boast of a constitution, the genius of which, we are told, hath always been free. Love of liberty was ever the british passion. Let me be permitted then to address this passion, while I inquire, How far the principles which support the 39 articles, are consistent with the fundamental principles of british policy, How far subscription is to be reconciled with the dignity of an Englishman?

“ All civil government, (says Dr. Price) so far as it is free, is the creature of the people. It originates with

^a *Livii hist. sub init.*

them, it is conducted under their direction, and has in view nothing but their happiness; all its different forms are nothing more, than so many different modes, in which they choose to conduct their affairs, and to secure their quiet enjoyment. In every free state every man is his own legislator; all taxes are free gifts for public services: all laws are particular provisions, or regulations, established by common consent for gaining protection and safety. And all magistrates are trustees or deputies for carrying these regulations into effect ^b.

As far, then, as any state is regulated by laws of its own making, which define the boundaries of men's actions, as members of the same community, leaving them to move at large, as individuals, within those boundaries, and to unite, in their collective capacity, as often as it is expedient to take the public opinion, so far it may be said to enjoy civil and political liberty.

While the Africans and Asiatics had been from time immemorial trained to despotism, the nations of Europe were in early possession of principles more favourable to liberty. Long before the golden bull of Germany, or magna charta of England, these nations had councils, which assembled for public business, and in which they appointed their supreme magistrates. Tacitus and Cæsar shew us^c, that
such

^b Price on Civil Liberty.

^c Magistratus quæ visa sunt occultant, quæque esse ex usu judicaverint, multitudini prouunt. De republica nisi per concilium loqui non conceditur, says Cæsar of the Gauls, de bel. gal. l. 6. Convocatis eorum principibus, quorum magnam copiam in castris habebat, in his Divitiaco, et Lisco, qui summo magistratui præerat, (quem Vergobretam appellant edunt, qui creatur annuus, &c. l. 1. The college of Druids was regulated on the same principles. If any person was possessed of superior dignity, he succeeded, of course, to the principal rule.

such assemblies were not peculiar to the Germans, they were possessed by the Gauls^d and Britons^e, prior to the settling of the Franks and Germans among them. The French were in possession of a real, long before they were forced to change it for a mock parliament^f; the more northern nations^g, who were the immediate ancestors of the free states of Europe, I mean the Goths and Vandals, felt the most generous attachment to liberty, and among its warmest assertors, are ranked the Britons.

To those who compare the account which Cæsar gives of the government of the Gauls, with that which Tacitus gives of the ancient Germans, the resemblance will appear

At si sunt plures pares, suffragio Druidum adlegitur. l. 1. De Britannis, vide Tacit. in vit. Agric. c. 2. Cæsar de bel. gal. l. 5. The ancient Germans, in time of peace, had no supreme magistrate, Nullus communis est magistratus, says Cæsar, but the princes, who formed a kind of parliament, administered justice in their own districts. In time of war, magistrates were chosen, who had power of life and death. The ancient Germans had among them something like our house of lords, and commons, De minoribus principes consultant, de majoribus omnes; ita tamen, ut ea quoque, quorum penes plebem arbitrium est, apud principes pertractentur. Tacitus de moribus Germanorum, c. 2.

In the Saxon times, all who had a share in the legislature, sat in their Wittenagemote, or Parliament, personally, not, as afterwards, by representatives. Spelman's Gloss. Tit. Parliamentum. Many writers I know, contend, that the Saxons sat in the Wittenagemote by representatives. Macpherson's Hist. of the Anglo-saxons, and an Essay on the Eng. constitution, ascribed to Mrs. Macauley. This, however, I take not to have been the case according to the modern idea; nor yet was it strictly by an appointment by popular election. See this matter discussed with great accuracy, in Clark's connection of roman, saxon, and english coins, chap. 5. The utmost I venture to say, in a subsequent place, is, that there was a virtual representation, though many I am aware will say, this was no representation at all.

^d Cæsar ut sup.

^e Tacitus in vit. Agricolæ, c. 2. 12.

^f See General view of governments in Europe, affixed to Mr. Sidney's Disc. on government, f. 4. 4to edit.

^g Tacitus de mor. Germ.

striking^h. Nor is this surprising, since many nations emigrated originally from Germany into Gaul, as the latter historian informs us. And Cæsar speaks in still more general terms. Several parts of Britain also, from the appearance of the inhabitants, Tacitus supposes were peopled from Germany, as other parts were from Gaulⁱ. We may therefore naturally enough expect to trace among them similar forms of government. The same author, indeed, informs us, that the Britons formerly obeyed kings. But Tacitus and Cæsar unite in declaring, that the Britons were in possession of a free government, that love of liberty was the prominent feature of their character. We may not, therefore, though the history of the Britons is lost in remote antiquity, confound their kingdoms with monarchies, that is, governments by one man. It is natural, indeed, to suppose they resembled those of the Goths and Vandals, the german tribes, who were, as observed before, their immediate ancestors. These had kings, and the crown was hereditary in certain families^k, but without any detriment to public liberty^l.

Let me be pardoned if I say, that many learned writers have certainly mistaken the meaning of Tacitus, in a pas-

^h Principes ex nobilitate, duces ex virtute sumunt. Nec regibus infinita aut libera potestas. Tacit. de mor. Germ. 7. . . Eliguntur in iisdem conciliis et principes, qui jura per pagos vicosque reddunt. Insignis nobilitas, aut magna patrum memoria principis dignationem etiam adolescentulis adsignant. Id. 12. See the preceding note ^c.

ⁱ Rutilæ Caledoniam habitantium comæ, magni artus, germanicam originem adfuerant. Proximi Gallis et similes sunt. Eorum sacra deprehendas. Sermo haud multum dissimilis. Id. Quod Britannorum olim victis evenit; cæteri manent, quales Galli fuerunt. De vit. Agric.

^k Reges habent ex genere antiquo. Adam Brem. from Macpherson's introd. to the hist. of the Anglo-saxons, &c.

^l Nondum tamen supra libertatem. Tacitus de mor. Germ.

sage reckoned of some importance to this question^m. Formerly, says Tacitus, they (the Britons) obeyed kings. Now they are drawn into different factions and interests by their princes. Nor is any thing more advantageous for us against their most powerful states, than their not consulting the common interest. Tacitus is not speaking (as Sir H. Spelman's objection implies he was), of separate communities having no public council, but of different states uniting against the public danger for the common good. Tacitus adds, there is rarely an assembly of two or three states to keep off the common dangerⁿ. Thus, while they are fighting in single tribes, all are conquered.

An improper use also appears to me to have been made of a passage in Cæsar. The supreme power, says he, of directing the government and the war was given, in council, to Cassivellaunus^o. It has been asked, What this military council has to do with our civil^p? Clearly this, I conceive. The civil jurisdiction of the Britons was united with their military power: a necessary policy, as Mr. Hume judiciously remarks, in states unacquainted

^m Spelman's Gloss. Parliamentum.

ⁿ Olim regibus parebant. Nunc per principes factionibus et studiis trahuntur. Nec aliud adversus validissimas gentes utilius quam *quod in commune non consulant*. Rarus duabus tribusve civitatibus ad propulsandum commune periculum convectus. Ita dum singuli pugnant, universi vincuntur. De vit. Agric. That the meaning of Tacitus is as I have stated it above, is clear from what he says of the subsequent conduct of the Britons. Nam Britanni, nihil fracti pugne prioris eventu, tandemque docti, *commune periculum concordia* propulsandum, legationibus et *foederibus omnium civitatum* vires exceperunt. Ib. 29. This account is confirmed by Cæsar. Huic (Cassivellauno) superiori tempore cum reliquis civitatibus continentia bella intercesserant. Sed nostro adventu permoti, Britanni hunc toti bello imperioque præfecerant. De bel. Gal. l. 5.

^o Summa imperii bellicæ administrandi communi concilio permitta est Cassivellauno. Ib. 1

^p Spelman's Gloss. Parliamentum,

with

with the arts of refinement¹. Hence it was, that among the barbarous nations of the north, the same form of liberty which shewed itself in their councils in time of war reigned in the general assemblies of the people, and, indeed, the same person presided in both. That such was the policy of the Britons, appears from this very appointment of their leaders. For though Cassivellaunus, Caractacus, Arviragus, &c. were but temporary officers set over all the tribes for present emergencies, as among the ancient Germans and Gauls, yet they not only directed them in war, but held the reins of government, *summa IMPERII bellicque administrandi communi concilio permixta est Cassivellauno*. In the time of Cæsar too, their powers were of the same kind, and proceeded from the same source as among the Gauls, with whom the people had no less authority over their leaders, than their leaders over the people². And Cæsar observes, in general, that the people enjoyed more liberty among the Britons than among the Gauls. So that, without insisting on what I have already observed, if the Britons were so eminently free, they must have made their own laws; for, independent of this idea, political liberty has no meaning. They must of course have assembled for this purpose, and it signifies little by what name they called their assemblies³. Among the
Goths

¹ Hist. of Eng. v. 2. app. 2.

² Ambiorix says to ambassadors sent by Cæsar, *Neque id quod fecerit de oppugnatione castrorum, de judicio aut voluntate fecisse sed coactus civitatis*: and adds, *suaque esse ejus modi imperii, ut non minus haberet juris in se multitudo, quam ipse in multitudinem*. De bel. Gal. l. 5. 18.

³ In the former edition, (p. 191.) I said, the Britons called their assemblies *kyfr y thens*, and I quoted Spelman's british councils. I took this on trust. I have read the more popular parts of that work, which relate to my subject, but cannot find that term. I think, therefore, the author, whom I followed, was mistaken;

Goths and Vandals, the people consulted and approved in common, and the king's part was to confirm their resolutions¹. And here, most probably, we view an exact form of the ancient british government. Vortigern, the last of the british kings, was a tyrant over his own people; the petty princes of the neighbouring tribes were also forced under his² authority³. But in a council of his nobles, it was unanimously agreed to call in the Angles and Saxons; and Vortigern himself was at length forced from the government.

It has not been in a mere fit of enthusiasm that high encomiums have been passed on the free character of the saxon governments. That spirit of equality, and ardent love of independence, which distinguished the ancient german tribes in their own countries, did not forsake them when called to form governments in distant nations. To secure their acquisitions, and to confirm their authority, a regular subordination was established through the different departments of government. But the spirit of liberty did not wholly subside. It went with them from partnership in conquest, and was seen in their regard to public liberty, and in their administration of public justice. Hence their governments became of a mixed kind, in which the prince could not corrupt by influence, or enslave by power.

mistaken: particularly as Sir H. Spelman, in his Glossary, sub voce *parliamentum*; and in a treatise on parliaments, (p. 63. Reliq. Spelman.) has written professedly against the idea.

¹ *Quod in commune laudaverint omnes, illum confirmare oportet.* Adam. Brem. From Macpherfon's introd. to the hist. of the Anglo-saxons.

² *Omnes reguli Angliæ Vortigerni sternebantur monarchiæ.* Will. Malmſbur. De gest. reg. ang. l. 1. Super statu publico in medium consulit sententias magnatum suorum explorans. Placuit omnibus Anglos et Saxones e Germania evocandos. Id.

Excellent

Excellent in many respects was their policy in Britain. Though it must be confessed, while it was their practice to reduce their prisoners of war to slavery, and to assign their lands to their own soldiers, and when the acquisition of landed property proceeded to advance particular families, the government was highly aristocratical. Though we must not enter on the subject here. Suffice it to admit, that in the saxon times they had their Wittenagemotes, that through their counties, hundreds and tythings, a spirit of love, liberty, and justice prevailed^x, that the legislative power directed the executive, and held it accountable for mal-administration: and that the british laws were interwoven with the saxon^y. And though William the conqueror (so called) at a time when feudal manners had assumed a character of oppression unknown to the Saxons^z, introduced a policy, injurious in many instances, to public liberty, yet even he did not root out english law. On the contrary, it was ordained by law, that peace, security, and justice, should be preserved between the English and Normans^a. So that british law protected british liberty and property, and all were secured by a supreme council^b. So untrue is it that the English received law from the Normans. And, indeed, though I do not hold it necessary to pass encomiums on a barbarous system tending to flatter the

^x *Mirroure*, c. 1. f. 3. These, and similar eulogiums, must be qualified by considerations occasionally interpersed.

^y *Spelman. Concil. Brit.* p. 398. vol. 1.

^z *Deinceps vero resonarunt omnia feudorum gravaminibus, saxonum ævo ne auditis quidem. Spelman. Gloss. Feodum.*

^a *Inviolatam custodiri pacem et securitatem, concordiam, judicium et justitiam inter Anglos et Normannos, &c. Tit. ad. Ll. Gul. Wilkins.*

^b *Post acquisitionem Angliæ Guliel. concilio baronum suorum fecit summoniri per universos Angliæ consulates, anglos nobiles sapientes, et sua lege eruditos, ut eorum leges, et jura, et consuetudines, ab ipsis audiret.*

high titles of princes, to recommend aristocratic manners, and to perpetuate customs injurious to public liberty, yet the feudal institution itself, amidst all its imperfections and tyranny, preserved some good qualities, and had within itself the means of becoming better^c.

Yet I would not be thought to insinuate in my zeal for liberty, that the house of commons took its present form either from the Germans, Gauls, or Britons; or even the Anglo-saxons or Normans. It was, however, an enlargement or improvement of the later feudal system. The king's barons, and those who held under him by knights' fee, always held a place in the king's council. The latter, at length, sat by representatives, (two for each county^d) and form what we now call knights of the shire. The representatives of cities and trading towns took their rise afterwards from an increase of property, and some varying circumstances in the feudal tenures.

On the other hand I cannot forbear observing here, that many learned writers in dating the rise of the house of commons in its present form, have gone wider from the popular side of the question than their own systems required, or than was consistent with their own concessions^e. It is of little importance, I own, to this question concerning the liberty of the ancient Britons, the present form of our government, and the more interesting inquiry into the rights of men, which governments, properly organized,

^c Il avoit cet inconvenient, que le bas peuple y etoit esclave. C'etoit un bon gouvernement, qui avoit en soi la capacite de devenir meilleur. Montesqu. l. 2 c. 8.

^d Sir H. Spelman thinks that those did not represent originally all the freemen in a county, though afterwards they were confounded in them, but the king's lesser barons.

^e Spelman on parliaments sub fin. inter Spelman. Reliq. et Gloss. sub voce parliamentum. Hume's hist. of England, v. 2. app. 2.

aim to secure, and to whose claims all governments sooner or later must unquestionably yield; it is of little importance, I say, to these questions, whether the commons, so called, in some periods, had a share in the government, or were wholly excluded from it; seeing as Mr. Sidney well observes, “ that the same power which instituted a parliament without them, might, when they thought fit, receive them into it, or, if they who had the government in their hands, did, for reasons known to themselves, recede from the exercise of it, they might resume it when they pleased^f. Still, however, I repeat it, many learned writers have gone wider from the popular side of the question, than was consistent with their own systems and concessions. For, even admitting the late rise of the house of commons, yet conclusions unfavourable to the spirit of british liberty may not be drawn too hastily or received too generally. It should be recollected, that among the northern nations nobility was connected with official character or military valour. So that the ancient british nobles were men ennobled by their virtues, and fitted by their talents for the most honourable stations^g. And in some governments an order of nobles might exist, as an useful poize between prince and people^h, without admitting the idea of feudal distinctions. Among the magnates, sapientes, nobiles, seniores, and senatores, of the Anglo-saxons, were many such, whom we should now call com-

^f Disc. on gov. c. 3. f. 28.

^g Ibid. b. 1. c. 7.

^h In the eastern tyrannies, and particularly among the Turks, there is no order of nobles, and it is by the mere pleasure of the prince that any man is raised above the common people. Such governments are in want of a nobility. In free governments (as in America and France) no order of nobility is wanted, the reason is, there are no opposite powers to balance. The NATION is SOVEREIGN. See the Declaration of rights in France, and the american Constitutions.

mons, gentlemen of free landed property, of good birth, judicial wisdom, military prowess, and ardent in the cause of liberty: except (which can never be proved) these eminent qualities were connected with the grants of patents, or the emblazonry of coronets: and, indeed, it is unquestionable, that the present order of nobles made no part of the ancient government of England. "Those who were truly noblemen, are now driven into the same interest and name with the commons, and by that means increase a party, which never was, and never can be, united to the courtⁱ." For in those early ages the elder sons had no necessary superiority over the younger^k; and at the same time, offices were not held as fiefs^l, titles and dignities were not hereditary, being appropriated not to persons but employments. Thus, for example, an earl was one, who had the jurisdiction of a county, and obliged to be well skilled in the laws; so that Alfred, upon a certain occasion, imposed on the earls to apply to the study of wisdom, or to relinquish their offices^m, and when there became a departure from this rule, it was an abuse. It was also, says the author of the *Mirroure of Justices*, assented to, that every free tenant should meet together in the counties, hundreds, and lord's courts, if they were not excepted, to do suit and to judge their neighbours, and though they sat there more immediately in a judicial capacity, yet their authority extended to all trials, whether civil or cri-

ⁱ Sidney on gov. c. 3. f. 37.

^k Spelman on feuds and tenures.

^l There was, however, land called allodial, which was terra hereditaria, descendable by will: called also *bolckland*, *gavelkind*, or *thaneland*, that is property, in the strictest sense, free of all services; *allodium*. This species of property was favourable to liberty. Reliq. Spelman, p. 12, 13.

^m Ibid. p. 13.

iminal, and within their own districts they possessed the power of legislation, (each court, however, being liable to be controlled by the higher), and, in fact, the earl represented a whole county in the supreme council of the legislature *. And yet some learned writers have so expressed themselves as to confound, at least in appearance, the british and anglo-saxon nobles with the handful of men who now compose our titled nobility, (whereas those who formed the Wittanagemote, were a far more numerous company †): and though these writers made the distinction in their own minds, yet they have certainly misled some partial or interested readers, not unwilling to be deceived. For these were undoubtedly very different characters of men, and held their lands under very different conditions. And this statement of the matter, as it depends upon authentic records, so does it keep clear of those erroneous extremes into which writers on both sides of the question have fallen: remarks which also apply to the subsequent part of this paragraph. But to proceed. The power of William was, in many respects, of a more absolute kind than that of the anglo-saxon kings, and the spirit of aristocracy far more predominant. Feuds, though made more secure throughout the kingdom by being made hereditary, were liable to severer conditions; offices and dignities, as well as land, were held by succession; the right of primogeniture, the source of domestic feuds, was completely established; and at length great men were ennobled by patent;

* Hence Andrew Horne says, "that it is an abuse of the common law that parliaments * should be called for subsidies and collection of treasure, not for ordinances by the kings and earls;" and adds, "counsellors are not covenable for the common people without calling the counties," c. 5. f. 1.

† Millar's Hist. view of the engl. gov. p. 144, 145.

* This word however subsequent to the saxon times,

all tending to advance prerogative, and to extend the power of the few over the many. Nevertheless, it was the nature of the feudal institutions not only to admit of, but even to give birth to, those vigorous struggles, which still kept alive the spirit of liberty, and only waited a more equal distribution of property, and a more general attention to commerce, to become more uniform and successful. So that though at first sight the people may appear of little political consideration in the contentions between the prince and baron, yet they at length assumed a character, and rose into importance. And even in the worst of times it was the nature of the feudal tenures to create a strong reciprocal attachment between lord and vassal. Thus while all the peers of a barony experienced the protection, and became the companions, of their lord through their respective districts, it was the concern of the baron to consult their interest in the great assembly; where the whole land of the barony was in reality represented by the baron himself^q. Moreover, that splendour, which in absolute monarchies is wont to be thrown round the person of princes was considerably broken by being reflected on the rich baron. And though through the increased influence of the crown, and for want of regularity in the public administrations, majesty might put forth very exorbitant claims; yet while there was a public law the monarchy could never be strictly absolute. Prerogative did not constitute legislative authority, and the claims of liberty were avowed to be paramount to the arbitrary pretensions of one man^r.

^q This circumstance is noticed incidentally both by Spelman and Hume; but in the question relative to the commons, they have not sufficiently noted these distinctions. See further, Millar *ut sup.* l. 1. c. 1. p. 25. 147, 148.

^r *Ll. Anglo-sax. &c. Wilkins.*

It hath, however, not been thought easy to reconcile certain occurrences in our own history with this observation. From the union of the two houses of York and Lancaster, and during the reigns of the Tudors and Stuarts, a certain monopoly of authority had been challenged by the crown, which, by long possession, seemed the inheritance of majesty, and, at length, aspired so high, as to overshadow the claims of the people. For a century, at least, prerogative preserved, in many instances, an arbitrary appearance. British liberty was frequently lost sight of, while some, and even impartial men have thought, that our high pretensions to liberty had no foundation in the original constitution of the country, that every popular exertion was an encroachment upon the rights of the crown, not to be justified on the principles of our government: our civil liberties being, according to them, bounties derived from the benevolence of our princes. For many years, the people's representatives in parliament, the opinions of many learned judges, the sermons of the clergy, the tone of our princes, in short, the public voice, gave strength to this sentiment, elevating the claims of the prerogative, and proportionably degrading the rights of the people. The most authentic histories of Britain are also imperfect, and perplexed: and some of the most ancient records were not only designedly obscured, but, during the wars of the barons, by different prevailing parties, were invidiously burnt. At the same time were not, in subsequent periods, many venal pens dipped in the gall of malice and of falsehood? Have they not been employed in traducing every good government, ancient and modern, to make despotism wear a gracious popularity, and assume a divine form in England? While there have been such unprincipled

* Particularly Sir Robert Filmer and Steylin.

writers, many have lamented, that our most elegant historian should not have given a different representation of our constitution¹.

CHAP. II.

THE SAME SUBJECT CONTINUED.

IT is always safe to admit, that power is of God, that is, that civil government is of divine original. But shall we say, that any particular form is established, as a model for nations, by the laws of Moses, or the precepts of Jesus? Let us not assert this. Laws are rules for public order, and must vary according to the wants of different nations. Many which are proper in Turkey, would be ridiculous in Holland; and many, which have free course in Holland, could not exert themselves in Turkey. All government is just, where the people are controlled only by those laws, which themselves have made. The origin, however, or right of government, must certainly be traced to the fountain of all power, the people; though it may not be so easy to ascertain the origin of any particular government. As to

¹ Hume, it has been said, began his history where he ought to have left off: and, instead of examining the Stuarts' conduct by the principles of the constitution, misrepresented the constitution to justify the conduct of the Stuarts. Hence Bishop Hurd remarks, He has "confounded administration with constitution." Dial. 5. on the british constitution. See some remarks on Hume's history in Millar's view of the eng. gov. b. 2. c. 11. Though I think Mr. Millar has by no means proved that Elizabeth did not exercise legislative authority, as maintained by Hume.

the right, which proceeds from conquest, it ceases the moment a nation can help itself.

Many circumstances tend to make the origin of the english government a matter of dispute. In the early part of our history, the government passed four times into the hands of foreign masters, each introducing something of their own peculiar laws and customs. Since the reformation, the inhabitants have divided into different sects and parties, each having its favourite prejudices and maxims; and the british government itself, since its boundaries have been more clearly marked out at the revolution, is acknowledged to have some striking singularities, not to say material defects. Many difficulties, therefore, are thrown in the way of an inquiry into british liberty. And it must be confessed if the abettors of despotism have frequently obscured the subject, the *dulcis amor patriæ* has led others to find beauties, where they ought to have acknowledged blemishes. However, long before our famous Charter, as I have already shewn, the Britons were a free people^a. Indeed, some of the present forms of our government, as before observed, were derived from the feudal system. The high title of our prince, certain prerogatives still claimed by the crown, many ancient privileges of the british nobles, the peculiarities of estates and tenures, abolished in Charles the 2d's reign, many circumstances which affect the clergy^b, together with many national and local customs, are to be traced to that barbarous system. The

^a When I speak of the freedom of nations, whether of the ancient republics, or of the northern communities, many grains of allowance must be made. For they were all defective, in some instances, in political liberty. This observation will also extend itself to Britain.

^b To pass by other badges of feudal vassalage, to this day the clergy do homage to the king for their temporalities.

most ungracious parts of our body politic were derived from the conquest. The parts most to be admired for beauty and strength from the simpler ages of the Saxons. A corruption of their government, says Montesquieu, created the best government in the world. A remark this, however, that will by no means apply to the present state of the world. "This beautiful system," says the same writer, "was first framed in the woods!"

It has, however, been observed of this beautiful system, that it hath all the delusions of a mere theory. And we shall certainly err if we suppose that our present government was at any period formed by the collected wisdom of the nation, or on any regular scientific principles of political liberty. From a variety of internal commotions, struggles, and exertions, of three differing powers, proceeded the present form of our limited monarchy. But I must still be allowed to say, that our constitution (if the arrangements, which have proceeded from those exertions may indeed be called by that name), hath, in different periods of our history, spoken out its meaning, and it was always on the side of liberty. This was its language at the delivery of magna charta^c, at the declaration of rights, under Charles the second, and particularly at the revolution. This also was its language at the accession of the present family, and continues to be its language at every coronation. At those times it is seen, that as the common law, or the *lex non scripta*, and the statute law, or the *lex scripta*, are the basis of our government, so is civil liberty the object of our constitution^d.

^c Monsieur Voltaire wrote too fast when he said, that the very title of the great charter sets it beyond all doubt that the king thought himself absolute de jure. Voltaire's Works on the English constitution. Vid. the note of the English editors.

^d Blackstone's Commentaries, v. 1. l. 3. of the Laws of England.

I have proposed to inquire, How far subscription is consistent with the principles of the british constitution? It will be, therefore, proper to survey its most striking features.

There are three forms of government, a monarchy, an aristocracy, and a democracy; but, strictly speaking, the british is neither the one, nor the other. It is a peculiar government, we are told, arising from a mixture of all the three, dropping the defect, and preserving what is valuable of each system. The excellence of a monarchical government, like that lately in France, is said to be power; but power, if it be not watched with a jealous eye, and guarded by a hand stronger than its own, will be advancing on liberty. In an absolute monarchy, therefore, where the whole power is lodged in one man, his interest alone is regarded. The excellence of an oligarchy, like that of Venice or Geneva, is said to be wisdom, but it is feeble, and partial. Venice is indebted to a "lion's mouth" for secret information. And the council of two hundred at Geneva never rested, till a power, only vested in them for a time, swallowed up the democracy. The excellence of a democracy is said to be goodness, and at the same time, to be defective in power and wisdom. But let not slavery be called the ultimum of liberty. For of liberty there can be no excess, any more than of virtue and happiness. A people may, indeed, lose their political as well as their moral character, through corruption or violence. In that case, licentiousness will succeed to tyranny, but liberty has lost its name—it is no more. Hence it is that people once thought to have been the most free became the most abject slaves: I mean the Romans^c. It was not through

^c Nulla unquam respublica major, &c. Nuper divitiæ avaritiâ et abundantes voluptates desiderium per luxum atque libidinem percundi perdendique omnia invenere. Liv. Hist. præfat.

liberty, but for the want of it, that the Roman glory perished.

I have spoken on the nature of the three governments agreeably to the prevailing theory. Without censuring others, let me correct a prejudice of my own.—The excellence of monarchy is said to be power. This is commonly, but I believe not justly, said. None of the ancient governments were so firm and well directed as the republics of Greece and Italy, and they overran the most powerful monarchies in the world. On the other hand, as they inclined more to monarchy, they were proportionably weak and feeble, and became in their turns a prey to people more free and more powerful than themselves.

The power which has been claimed for monarchy depends on obedience to orders, on number of armed forces, on mercenary troops, or other external causes. Here is their strength. But there is no permanency in these. Like gross and disordered bodies, therefore, they either fall asunder of themselves, or yield to smaller bodies more vigorous than themselves. Internal strength is persevering and permanent. Hence it is, that a handful of men of personal courage have opposed millions of mercenaries and slaves. Three hundred brave Spartans resisted the whole weight of the persian monarchy.

It should be further noted, that all monarchies, properly so called, originated in violence or corruption, and their continuance depends on the same principle which gave them existence. But all corruption tends to dissolution, it cannot endure; yea, the stronger the corruption, the more certain the dissolution. Political principles have a kind of analogy with moral. A sense of dignity forms the stability of human action, and arrangements formed
by

by men conscious of the rights of human nature are the nerves of government.

The earliest accounts of some ancient states describe them as kingdoms formed by the appointment of the people. But power presuming on courtesy, and unrestrained by law, grew oppressive: hence the struggles of freedom. Some of the commonwealths of Greece were formed by the spur of necessity, out of more oppressive governments. There is a people in modern Europe who have demonstrated that the power of absolute monarchs depends on the ignorance of the people. Let a nation be enlightened, let it will its own sovereignty, and the power of monarchy is no more ^f.

An aristocracy is said to excel in wisdom. But is this likely to be the case in an hereditary aristocracy? Does the history of the human mind prove that wisdom flows in blood, or that hereditary claims, by generating security, does not enfeeble reason? Is there wisdom in political organizations so formed that actions must precede experience, and youth exercise the deliberative powers of age? I admire the policy of the early Saxons, who assigned rank to office. The united states of America admit none into the senate till the age of thirty. It happens to states as to individuals: formality may pass for wisdom, and self-love for policy. But the truth seems to be, that aristocracy, in its very nature, inclines to oppression, and all its contrivances spend their strength on itself. If there be a government where the united force of a nation can be so concentrated as to exert itself for the benefit of the community, in that nation will reside political wisdom. If a few are more capable of

^f Illud ex libertate vitium quod non simul nec ut jus conveniunt sed et aller et unus dies cunctatione coeuntium absumitur. Tacit. de mor. germ.

deliberation than the many, representation hath all the advantage of aristocracy without its partiality.

A democracy is said to be defective in wisdom. But if any such ever existed, a pure democracy can only be formed in very small states; as in ancient Argos². The inconvenience arising from delays is not found to exist in republics. They are of a mixed nature; and capable of as much precision in the times of assembling for public business, as either monarchies or aristocracies. In America a confederacy of republics falls as easily into a national congress as the states of France were assembled by the grand monarch, when even in the height of his power. France hath at present more of republicanisin in its government than the other monarchies of Europe: and yet I will venture to say, it is likely to suffer less than even England, in its forms of assembling and proroguing the legislature. It was once thought that the american states when they aimed to form a federal union on the most extensive, and yet the most comprehensive plan, on a plan unknown to the ancient republics, would find it, in proportion more difficult to assemble, and be irregular in their movements. And yet nothing has been more admirably provided for. Experiment has confuted theory; and nations have been taught that mankind are as yet but little advanced in political science.

A government is complete, in proportion as it partakes of the three properties of power, wisdom, and goodness. Some of the ancients thought, that a character so beautiful in theory, was, however, too perfect to be exhibited in real life. But there is an island, where this beautiful theory, we are told, is reduced to practice. What alter-

² This was more strictly democratic than any of the grecian states. Herod. hist.

ations the hand of time may effect on the constitution of England, whether it shall make use of the goodness of it, to bring about a popular form, or of its power, to create an absolute monarchy^h, or whether its present genius is so great, and wise, and good, as englishmen are willing to believe, I shall not stay to inquire. But happy England, if her citizens aspired at a dignity of character proportionable to the excellence of her own pretensions; happier still if her government was indeed administered agreeably to her own avowed principles; but happiest of all, if superior to national pride, she was enlightened enough to perceive her own defects, and virtuous enough to reform them. Then would England, indeed, be a “land of heroes!”ⁱ

In this nation the supreme power is lodged in the three different branches of the constitution in union, and this power alone can make laws. The king, in his single

^h Mr. Hume thought it would terminate in an absolute government, essay 9th, on the british government. But it may be questioned whether politics, as a science, has not been better understood within a few years past, than when Hume wrote. Governments are sometimes repaired by the very means from whence their disorders proceed. The influence of the crown now gives the monarchical part of our political arrangement the preponderating bias. Influence affects taxation: and taxation is in proportion to the wants and extravagancies of government. If the legislature becomes corrupt, its corruption must be effected by the executive power. But corruption and taxation have their limits: and a period will arrive in England, when the people must be enslaved, or influence be stopped. An enlightened nation will not allow the first. France and America owe their present liberties to taxation. Montesquieu says, the english constitution will perish, when the legislative is more corrupt than the executive power. Montesquieu's conclusion, therefore, must be the same as Hume's. But the idea of Montesquieu is inaccurate. For, though the people may be the objects of corruption, the legislature can never be corrupted by the people. The corrupting source is in the executive power; which, therefore, must always be more corrupt than the power, which is corrupted by it.

capacity, has no right, and if the other two branches of the legislature maintain their legal dignity, no power, of framing a single law beyond the meanest subject. Indeed, in legislation the king's legal power consists in a bare negative. The principal strength of the crown is said to be its executive power^{1 k}.

As the great council of the nation is composed of peers¹ sitting in a legislative capacity in their own right, and of a house of commons representing the people, and supposed to be chosen by them, we are governed, so far as representation actually takes place, by our own laws. The power of raising taxes is lodged in the people alone, by their house of representatives. The commons, as Mr. Hume improperly expresses it, have assumed to themselves the sole power of disposing of public money. A violation of this constitutional right cost the unhappy Charles his life. Whatever relates to the life and liberty of the subject is guarded by our constitution with the most jealous eye. The judge only relates the law, the king is said to be the principal executive magistrate, the jury, without whom no subject can lose his life, our equals. But in all cases, the governing power resides in the law. There are courts of law for redress of injuries, and of equity to supply their defects; and after all, in case of violation of the preceding rights, there is the liberty of petitioning the king, or either house of parliament, for relief. In a word, we have natural and civil rights, and the british constitution professes to be the guardian of them, and (so far as her

¹ Blackstone.

✓ ^k I speak thus cautiously, because, unfortunately, INFLUENCE enables the crown to give a consideration in legislation, which LAW denies it.

¹ Yet strictly speaking, the bishops are not peers of the realm, but only lords of parliament.

fundamental maxims prevail) corresponds with the design of government, which is the preservation of property.

And if the alarming influence of the crown was lessened, which it hath acquired by that immoderate share of property at its disposal, by that numerous company of new officers^m, and the military establishmentⁿ, which depends on the pleasure, or are at the absolute disposal of the supreme magistrate; if our house of representatives was, indeed, an equal representation of the people; were they clear of that character of corruption from the other two branches of the legislature, which some say^o is essential to our constitution; were our electors inaccessible to bribery; were those rotten appendages to influence removed, which were originally formed merely to increase the weight of the crown, and have never served any other purpose^p; and were a separation

^m They are excellent provisions for the american states, according to which, no member of congress can hold any office under the united states, during his continuance in congress; and no senator or representative holding office of trust and profit, can be appointed an elector of the president. Constitutions, &c. Art. 1. s. 6. Art. 2. s. 1. a similar regulation is made in Poland: nobody who hath any share in the executive power can have any active votes in the diet. Art. 6. Constitutions of Poland.

ⁿ For the origin, the use, the number, and the expence of our standing army, see Hist. of standing army, 1698.

^o Perhaps with justice of our present form. Hume's Essays.

^p The royal boroughs were originally formed into corporations by an increase of commerce, which proceeded from the alienated possessions of the overgrown barons. But though they were an addition to popular liberty, yet the monarch could make them serve too easily his own interest, and the more needy the boroughs, the more dependent and necessary. Each of these boroughs (whether small or great) sent two representatives. Hence an unequal representation. But the principal evil was not foreseen. For through the changeable nature of commerce, many towns, once populous, are now desolate, and some which formerly were villages, are become commercial and populous. These may, in fact, be considered as a kind of appendage to the crown. So that while Hen. vii. and succeeding princes, by augment-

tion of ecclesiastical concerns from the civil magistrate to take place, (a state of things, to which whatever deserves the name of reformation points, and in which I am persuaded it will terminate;) were this, I say, the case, we should then actually possess liberty, we should enjoy what all good writers say should be the invariable pursuit of political arrangements, national happiness; every true Briton might view those arrangements as forming a constitution of natural rights, civil privileges, and common blessings, and might hope, we should ere long, arrive at that state of things, respecting which he might put up the ardent prayer, *Esto perpetua*.

It also falls in with my design to remark one peculiarity in the history of our country; which hath not only been the mean of bringing our government into its present form, but of giving it a degree of strength. It is this, that the *lex terræ*, or common law, hath invariably ruled our higher courts of judicature. The preservation of this has been the cause of various struggles in the more early part of our history.

It is well known, that in the 12th century the civil or Cæsarean law established itself in almost every part of Europe. This had been framed into a system under the emperor Justinian by Tribonian, at a time when Rome had lost its liberty; at a time, when she even courted servitude: for though the roman government had not as yet degenerated into an absolute military despotism, yet its liberties had been actually overturned. This law, I say,

ing the boroughs, seemed to be raising the interest of the commons, they were, in fact, strengthening royal influence. See Millar's hist. view of the Eng. gov. p. 505.

enslaved

enslaved almost all Europe¹. But it could never establish itself in England. For, though in four of our courts, the courts of Admiralty, the military courts, the University courts, and the spiritual courts, the civil and canon law maintain their authority, yet they wholly depend on the sanction of the common law; nor have they any binding force further, than as they agree with the *lex terræ*, or receive support from acts of parliament². The common law retains a controlling force over them³. In our higher courts of judicature, the common law alone prevails, the justinian code has no power whatever. The watchful assiduity of the barons to guard this fort of british liberty, against the open attacks of the crown, the intrigues of lawyers, and the more insidious attempts of the clergy, is well known; that too at a time, when an introduction of the civil law would have been productive of some temporary convenience to themselves⁴. They always withstood its encroachments. And to this circumstance, while the other nations of Europe were enslaved, we are indebted for the preservation of our liberties, and in one word, “church government is no essential part of the whole english government.” Of which more hereafter. Nor should it be passed unnoticed, that, though amid the triumphs of arbitrary power, the greater part of our lawyers basely

¹ It has, however, according to Mr. Millar, been misinterpreted and misapplied.

Hist. View of the eng. gov.

² Blackstone's Comment. Intro. c. 3.

³ The civil and canon laws, therefore, are said to be *leges sub graviore lege*.

⁴ *Omnes comites et barones una voce responderunt, quod nolunt leges Angliæ mutare*. See the Introduction to Magna Charta. Blackstone's Law Tracts, p. 334, 335. 3d edit. Mr. Millar has formed a different opinion, relative to the motives of the barons in this affair. Hist. View, &c. p. 463.

⁵ England's Present Interest considered, by Mr. Pen.

prostituted themselves in its service (though at the time others stood forth as the apologists for our liberties ^w,) that all, whether ancient or modern, whom we consider as the oracles of our laws, have invariably borne testimony to the free government of England ^x. Though, at the same time, it must be acknowledged, they have sometimes been too much captivated with her excellencies, some of which are imaginary, too sparing in exposing her imperfections, many of which are real. Assuredly we are far below the point of perfection; and Britons have much yet to learn.

Having, however, premised thus much on the british constitution, excellent in comparison of most modern governments, many a true Briton will anticipate what follows, and easily find an answer to this question, How far is Subscription consistent with the principles of the British Constitution? But I proceed.

^w Mr. St. John, and Mr. Hide.

^x Bracton, Sir John Fortescue, Sir Tho. Smith, Sir Edw. Coke, Judge Blackstone.

CHAP. II.

IS SUBSCRIPTION CONSISTENT WITH RELIGIOUS
LIBERTY?

I ASK then, whether to subscribe the 39 articles be not bona fide to resign religious liberty?

By religious liberty I mean a freedom of choice, uncontrolled by human authority, in every thing that concerns religion.

In this definition, I include, the idea of a right to range within the limits of natural and revealed religion to the full extent of my own intellectual powers; to adopt, without any restraint from human authority, that system of speculative opinions, and to follow that mode of public worship, which appear to me most consistent. I mean also to convey the idea of a right to correct and improve my religious notions, according to the growth of my rational powers, and my future advances in natural and revealed knowledge: so as not to expose myself, for so doing, to the smallest civil penalty or political incapacity; nor be forced, through any change in my sentiments (provided I do not interrupt the harmony of the society, with which I am connected), to seek shelter in any other community except I choose it.

From this view of religious liberty, it will follow, that so far as subscription to articles and creeds is made a term of admission into a society, and so far as a disbelief of them is considered as a reason for expulsion, that society enjoys no religious liberty. If civil penalties, and incapacities are

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annexed,

annexed, the attack made on religious liberty is so much the greater.

With as little propriety can a person be said to enjoy religious liberty within the limits of a society, to which he binds himself by 39 articles. Where we have no will, we have no liberty: liberty, as Mr. Locke justly observes, being an idea, that belongs not to volition or preferring, but to the person having the power of doing, or forbearing to do, according as the mind shall choose, or direct: which power, a person subscribing either to speculative opinions, or to prescribed modes of worship under the present restraints, has not. I ask, then, Are not those articles the limits of his thoughts? And so far as his thoughts are confined, has he any liberty of thought? But the 39 articles profess, at least, to lay down a whole system of christian divinity, to contain every thing, that is important in christianity. I easily see, then, how far his liberty of thought extends, and if he has no liberty of thought, I shall hold him a singular genius, who proves, that he possesses religious liberty.

It is true, I may subscribe these articles, without giving them a serious examination, or I may subscribe them, with tolerable facility in the gross, or, perhaps, some of the sentiments may happen to correspond with my own; so that I may prefer that system to any other (and while preferments and 39 articles go hand in hand, Who can be surprized, that preference should be given to the most productive scheme?) But what then? Alpasio is confined in a room; he prefers staying there for the sake of the company, in which he finds himself, and the advantages, which he derives from it, yet he is not able to alter his condition, though he ever so much desired it: he might, indeed, flutter about like the poor stalling, and say, “ I can-

not get out, I cannot get out^a.”—Would Philander be free?”

And can any thing, Britons, be more servile and inglorious? Any thing more unbecoming the spirit and the dignity of our characters? We boast of a civil government which puts a high value, we say, on our lives, and holds our liberty, and our property, sacred? But, surely, with little propriety, while we are confined by an ecclesiastical constitution, which leaves us free in scarce one religious sentiment. Do we, as Britons, esteem civil liberty as an invaluable blessing? And shall religious liberty appear to be of no importance? Should they not like a well poised arch, though rising from different foundations, yet meet in the center? And, can I in strictness of speech be said to possess one, while I remain a stranger to the other? A writer, from whom on the subject of the present question I widely differ, has well remarked, “ that the human faculties can never long remain in so violent and unnatural a state, as to have their operations perpetually checking, and defeating one another, by the contrary actions of two such opposite principles, as love of freedom, and acquiescence in slavery. The one or the other must in a little time prevail. Either the foul spirit of tyranny will defile the purity of religion, and introduce that blind submission of the understanding, and slavish compliance of the will into the church; or else the spirit of the Lord will overturn the usurpation of an unjust despotic power, and bring into the state, as well as the church, a free, and reasonable service^b.” Let this remark be applied to individuals.

Is not, indeed, an infringement of religious liberty an encroachment on some of our dearest natural rights? Free-

^a Sterne.

^b Warburton's Alliance, l. 2. c. 4.

dom to think, as I have observed before, is, to a rational creature, the same, as liberty to breathe. The voice which says, Sir, you shall not enjoy religious liberty, does in fact say, Sir, I will trample on your property. For, What can I call property, if a right to think be not? Hence it was, that the reformation, wherever it went, was favourable to civil liberty, and, again, those countries, which were blessed with civil liberty, were best prepared to receive the reformation. The celebrated little republic of Geneva illustrates the former remark, and the history of Britain the latter^c.

But, it may be said, I confess, that a man need not put the chain on, except he choose. Philander did not choose. He was what you would, perhaps, call a poor creature. He knew a little greek and latin, but, unpractised in the ways of men, was near experiencing the last of the two alternatives, “ subscribe or starve.” Poor Eugenius, indeed, put the chain on, but it sorely galled him, and he chose to have it taken off. Unhappy sufferer! I wept over his hard lot. He could not dig, to beg he was ashamed, and the hardy Briton died in a workhouse.

Aut dic, aut accipe calcem—Under these circumstances, will any body ask, Who injures religious liberty?

^c When the Genevese first caught the fire of protestantism, they were in subjection to an ecclesiastical sovereign. The father thought it expedient to leave the city, and afterwards by a decree of the people, and of the senate, was legally banished. Charles, duke of Savoy, wished to reinstate him, and took up arms in his defence. But the banished sovereign was never restored. See D'Ivernois' Hist. of the Constitution and Revolutions in Geneva. Effects similar to what were produced in England, would, most probably, have followed in the republic of Venice, and the Swiss Cantons, but for their vicinity to the residence of the pope. Commerce, as it is favourable to liberty, so did it assist the Dutch provinces, and many of the independent towns of Germany, to renounce the popish religion. See Mullar's Hist. view of the Eng. gov.

CHAP. III.

WHETHER OUR ECCLESIASTICAL CORRESPOND WITH
THE AVOWED PRINCIPLES OF OUR CIVIL GOVERN-
MENT.

As subscription is concerned with an irrational and narrow system of what is called divinity, and so deprives those who submit to it of religious liberty, Is it not also with a form of church polity, whose principles are contradictory to the avowed principles of the english government?

It was with a view to this remark that, in a preceding chapter, I took a view of what are called, the principles of our constitution. Now, Britons, survey the contrast. In the government of which I am speaking, Do we behold any of that agreeable mixture of the three systems, which is supposed to compose the spirit of your limited monarchy? When we survey a bench of bishops, we may, perhaps, choose to call it an aristocratical appearance; when we contemplate the lower house of convocation, we may think the church wears a democratical form; and when we view the archbishop, we may imagine we view the monarchical. This, I know, has frequently been said by very eminent writers^a. But the resemblance is all imaginary. The edifice, of which we are speaking, received its being at first, and afterwards its peculiar shape, from the breath of kings: and, if we approach the building nearly, and examine the discipline, practised within its walls, Shall

^a Hooker and Blackstone.

we not find, that the will of the monarch retained the force of law? And, wherever this is, indeed, the case, however soothing a voice a government may borrow, however gracious and popular an air it may seem to carry, it is all deception; the mere form, without the spirit, of liberty. Wherever the will of the monarch is law, whether in China, in Constantinople, or in England, that government is despotical.

In regard then to our ecclesiastical constitution, whether it does not expose itself to the charge of despotism, according to the definition of it by political writers, let us proceed to inquire.

1. Was not then the legislative power claimed by the king? The church has power to decree rites and ceremonies, says the 20th article. This clause is a forgery. However, passing by that consideration; I ask, who the church is? I am soon given to understand. For notwithstanding the just definition of a christian church^b (Art. 9.) viz. "that it is a congregation of faithful men," this power was exercised by the civil magistrate at the reformation. When did the people decree one rite, or exercise of religion? When did a body of ecclesiastical representatives appointed by the people? When did a bench of bishops, or the clergy in convocation? Or when the metropolitans, unless commissioned by the supreme head? This is unheard of in our history. By going back to the time, when rites and ceremonies and articles were decreed, we shall soon find who decreed them, (I except here the parliament in the time of the commonwealth, when it also exercised the executive power.) The bishops and clergy opposed

^b "Societas libera" hominum sponte sua coeuntium, ut Deum publice colant eo modo, quem credunt numini acceptum fore, &c. Locke, Epist. de Tol.

the first exercise of ecclesiastical supremacy, and the present form of the established church^c. Cranmer, it is well known, objected strongly against the six articles in Henry the 8th's reign. They were objected to also by bishop Latimer, who, for his opposition, with 500 more, was sent to jail^d. Did not many of the bishops protest against the liturgy in Edward the 6th's reign? And against the supremacy in Elizabeth's, some of them being designedly out of the house^e? Yet were they not all decreed maugre all the opposition of churchmen?

Our Tudors, and Stuarts, well understood the extent of supremacy. They managed it more arbitrarily, than any other branch of their power, and, under its shadow, became the creators of all our injunctions and church laws since the reformation. And when we recollect, that prior to the renunciation of the pope's authority, the kings of England claimed a power in ecclesiastical matters, equal to that of the roman emperors after Constantine the great, we need not wonder, that the crown being, at length, in possession of this jewel, should defend it so warmly, and display it so proudly. Queen Elizabeth, as head of the church, knew she had her bishops under awful discipline, and could "unfrock them" at her royal pleasure, and king James made no more of clapping such sacred things, as bishops, in the tower, than a justice of peace would of having half a dozen poor rogues hurried away to the round house for opposing legal authority. "They were the breath of his majesty's nostrils." What could not a "king with a pope in his belly do^f?"

^c Burnet's Hist. of the Reform. part 1. p. 112. 2d ed.

^d Burnet, ut sup. p. 266.

^e Burnet, ut sup. part 2. p. 387, 388.

^f An expression applied to Hen. viii.

But, perhaps, it may be said that the king and parliament have power to decree. Let that be granted. But even then, Do we not still remove the power from the church?—Except we choose to say, the church is represented in the house of commons, which, however, I shall shew is not the case. But the truth is, the first proceedings at the reformation, under the authority of proclamations, royal patents, and commissions, had the force of law, before they received the sanction of parliament. It was, also, the policy of our princes to retain the old ecclesiastical canons, which were so friendly to the high claims of supremacy, rather than hazard the introduction of a new code, which might have been formed more to the genius of our government. The same policy directed the affection of our more arbitrary princes to the civil lawyers, as the most loyal interpreters of the canon law^g. And as to the canons put forth by order of James the first, they never received the ratification of parliament^h.

The power of legislation, if traced to its true source, will be found to have proceeded from an arbitrary claim of Hen. viii. For though I deny not, that the laws of the realm did anciently bind the jurisdiction of the ecclesiastical courts, and that the kings of England had a degree of authority among themⁱ, yet the proud title, and splendid powers of supremacy, were gathered from another quarter. These came through the medium of the roman pontiff, and were stripped by violence from the triple crown. How far the procedure of Henry was to be justified from the necessity of the case, or from the advantages derived from it, I stay not to inquire. It received, I confess, the sanction

^g Hurd's Dial. on the Constitution of the eng. gov.

^h Blackstone, therefore, concludes they do not bind the laity.

ⁱ Coke.

of parliament, yet was it at a time, when the parliament itself was subject to an unconstitutional controul from the crown, when it could even so far degrade itself, as to pass an act, giving the king's proclamations the force of law.

Yes, It must be acknowledged, indeed, that the supremacy was settled by an act of the legislature^k, which, while it threw over the royal claim the strength of law, was received by the monarch, perhaps, as a mere matter of form. It will, also, be allowed, that the legislature aimed to guard this high title by a constitutional condition, "That nothing be contrary to the law of the realm." But the character was already too far advanced, and soon thought itself too sacred, to be bounded by legal restraints. The power of supremacy soon created "a high commission court," which brought whatever related to religion under its own jurisdiction, and to keep the royal balance even, it was found expedient to enlarge the powers of the "star-chamber," in matters of a civil nature. Till, at length, from this fruitful supremacy, there sprung a natural branch, full of strength and vigour, I mean a "dispensing power," which was but a revival of the claims of papacy, and placed majesty above law; so that one of our kings made no scruple to say, "That general laws, made publicly in parliament, may upon known respects to the king, by his authority, be mitigated, and suspended upon causes known only to him^l." And even still, when the star-chamber and high commission court no longer exist, having been abolished in Cha. 1st's reign, and when by a statute in William's^m, it is declared, that the suspending or dispensing with laws, by regal authority, without consent of parliament, is ille-

^k 35 Hen. 8. c. 3.

^l Jus liberæ Monarchiæ, Jacobi Opera.

^m Stat. 2. c. 2.

gal, still, I say, the weight of the crown, in the ecclesiastical scale, is far more considerable, than it will be ever allowed to throw in the civil.

2. As the legislative power in a state is that, which gives birth to the laws, the executive is that, which puts them in force. The union of these two in the Sultan at Constantinople makes him an absolute monarch. In the wise separation of these, it is said, consists the essence of british liberty,

There is a certain sense, in which it is commonly said, the king is the only executive magistrate in Britain. For from him, as the “ source of power” an extensive commission proceeds, giving birth to different offices of executive trust, as well as dignity and effect to all their proceedings. Under shelter of this commission, his ministers manage treaties, settle peace, and proclaim war. The navy, army, mint, and courts of judicature, are, likewise, all filled with their respective officers, who are to be considered as the king’s proxies. And pray, What are the clergy? When performing divine service, or occupying ecclesiastical courts, they retain the same character in the church, which the other officers do in the state. They are administering, in their separate departments, what it is impossible for the king to administer in his own person, yet all holding their places directly, or indirectly, of the king.

By a famous act in Henry the 8th’s reign, the king was vested with the extensive authority, “ To exercise all manner of ecclesiastical jurisdiction, and archbishops, bishops, archdeacons, and other ecclesiastical persons, have no manner of ecclesiastical jurisdiction, but by and under the king’s majesty, who has full power and authority to hear and determine all manner of ecclesiastical causes, and

to reform and correct all vice, sin, errors, heresies, enormities, and abuses whatsoever, which, by any manner of spiritual authority or jurisdiction, ought or may be lawfully reformed." Accordingly, at the reformation, commissions were taken out by the bishops for the exercise of spiritual jurisdiction, and those commissions were to be held only during the king's pleasure^a. In these commissions, all jurisdiction, ecclesiastical as well as civil, is acknowledged to flow originally from the royal power of its supreme head, the fountain of all power within his own kingdom. Even the power of ordination is nothing but a grant, and was held only during the king's pleasure^b. And as all the different branches of the ministerial office are trusts derived from the king, all the power is revertible to him as its original source^c. He may instruct^d and prescribe to the clergy: he may suspend them from office, and he may deprive them of it; he may even excommunicate from the bosom of the church, and re-admit excommunicated persons, independent of ecclesiastical courts, and even in opposition to the bishops and clergy. And what is still more remarkable, this extraordinary authority was held by delegation; one strange title, which lord Cromwell sustained, being that of lord vicegerent in ecclesiastical matters. By virtue of this title, he had the principal management of ecclesiastical proceedings, and took place of the archbishop of Canterbury^e. Our most eminent churchmen and lawyers have, therefore, hardly done justice to this subject.

^a Burnet's Hist. of the Reform. part 2. n. 2. records.

^b Edw. sextus, &c. Tibi vices nostras sub modo et firma inferius descriptis committendes pretique licentiend. esse decernimus ad ordinandum, &c. ut sup.

^c Towgoods. Dissent. from the church of eng. justified, 5th edit. p. 24.

^d See the Injunctions of Hen. 8th, Edw. 6th, and Queen Eliz. &c.

^e Burnet's Hist. of the Reform. part. 2.

Mr. Hooker says, "It has been taken, as if we did hold that kings may prescribe what themselves think proper in the service of God, how the word may be taught, how the sacraments administered:" (and this they certainly have done.) He adds "finally, that kings may do whatever is incident unto the office and duty of an ecclesiastical judge. Which opinions," says he, "we count absurd."

Bishop Burnet, always well affected to the interest of civil and religious liberty, takes every opportunity of qualifying the supremacy. Having previously spoken of the extent of the king's power in Henry the 8th's reign, he remarks, "They acknowledged the ecclesiastical jurisdiction in the discharge of the pastoral office committed to the pastors of the church of Christ and his apostles, and that the supremacy then pretended to, was no such extravagant power as some pretend to." When speaking of the bishops, made by letters patent in Edward the 6th's reign, "It is clear," he says, "that the episcopal function was acknowledged to be of divine appointment, and that the person was no otherwise named by the king, than as lay patrons present to livings^c." Similar remarks he makes on the supremacy in queen Elizabeth's reign.

"We must be careful," says bishop Warburton, "how we think the magistrate by virtue of this branch of the supremacy can make or confer the character of priest, or minister, or even himself exercise that office;" and again, "The exercise only of that office, when made, being under the magistrate's direction^d." Similar remarks are made by Blackstone.

^a Hooker's Eccles. Pol. book 8. p. 430. 1723.

^c Burnet's Hist. of the Reform.

^d Alliance, &c.

One of the articles, it must be acknowledged, gives countenance to these notions. "We give not to our princes the ministering of God's word and the sacraments;" which clause is further explained in the injunctions of queen Elizabeth. But, let me be pardoned, if I say, the clause, and the injunctions are both sophistical. Let us consult matters of fact after the act of supremacy was past.

Queen Elizabeth's first archbishop was Parker. The mode of his appointment was as follows. A *conge d'elire* was sent to Canterbury, authorizing the dean and prebendaries to proceed to an election. In the queen's letter Parker is mentioned, as the person to be appointed. The great seal was afterwards put to a warrant, authorizing four bishops to consecrate him. This mode of choosing has been retained ever since. It is no uncommon thing to make distinctions, where there is no real difference, but with those, who will not suffer themselves to be imposed on by words, the difference between a proclamation, letters patent, and a *conge d'elire* will vanish. The chapter have leave to choose, but the queen has the power to appoint or nominate. The bishops consecrate, but whose is the image and superscription on the seal? Judge Blackstone, speaking of the manner of choosing bishops under the emperor Charlemagne, remarks, "The mere form of election appeared to the people to be a matter of little consequence, while the crown was in possession of an absolute negative." But in the present case the crown possesses much more. All is done in the name, and by the authority of the king: whose pleasure, therefore, is both "ring and pastoral staff."

Consider again the clergy in the actual exercise of their office, or in the important business of jurisdiction: the whole was administered *privilegio reginæ, vice regis*. In
their

their address to majesty they entreat the queen to aid their wishes by her royal authority; they assure her, that so far from being influenced by selfwill, in comparison of her, they were but “dead dogs and fleas^w ;” very humbling words for the sacred order! In the commissions, issued by virtue of the act of supremacy, lay and ecclesiastical officers are deputed to “supply her room, to bear her name, and to act by her authority^x.” It is true we cannot call her majesty a bishop, a priest, or a deacon, nor could we call her the lord chancellor, a secretary of state, or a justice of the peace. But do we not know, that he who administers an office by another, administers it himself?

What was queen Elizabeth’s meaning, when she said, she could “unfrock” her bishops? Certainly this, that she could suspend and even deprive them. Her majesty did accordingly deprive fifteen popish prelates, who refused the oath of supremacy^y. Charles the first suspended archbishop Abbot for refusing to licence a sermon, and the bishop of Gloucester for refusing to swear he would never consent to an alteration in the church. Seven bishops were imprisoned by James the second; he also suspended the bishop of London, for refusing to suspend Dr. Sharp. A clergyman, who has been deprived, may be reinstated by the civil magistrate. A parson was deprived of his benefice, for crim. con.; a general pardon came, which pardoned the adultery: and the divine was adjudged to be ipso facto restored to his benefice^z. Now if the civil magistrate advances to office, if he can deprive, and if he can suspend, and if after deprivation he can reinstate a person to

^w Canes mortui et peuliees. An Address against the use of images.

^x Vice, nomine, et autoritate nostris.

^y Burnet.

^z Coke 6. Rep. 13. See Towgood.

office, Where is the executive power lodged, but in the civil magistrate?

The truth then is, that the kings of England are by the act of supremacy vested with the enormous power, which was exercised by the roman emperors after the days of Julius Cæsar, who laid the foundation of the roman monarchy. They are not, indeed, consecrated into all kinds of priesthood, but all kinds of priesthood are consecrated by their authority, and supply their place. The direction of sacrifices and ceremonies which fall to the department of priests, the authority of the tribunes, who, in the times of the commonwealth, acted for the people, and all the dignity and power of the ancient dictators, made up the character of a roman emperor. Thus, the kings of England oversee the ceremonies, which is the province of priests, they choose to office, which is the right of the people, and they have the government of the whole, which (I speak in ecclesiastical language) is the proper office of the bishop. The whole executive power, then, is here lodged in the civil magistrate.

Now in our civil government, (considered apart from the ecclesiastical) if the legislative power is, as it is said to be, in the hands of the people, and the executive, of the supreme magistrate, public liberty will be proportionably secure, and general happiness diffused. But, if the legislative and executive power are entrusted to the same hands, public liberty has no security, and national happiness will be proportionably retarded. Agreeably, therefore, to the supposed principles of english polity, we say, that such power, (though by the mode of administration, it may escape common observation,) by whatever hands, and whatever means, it has been introduced into our government, whether by kings or by priests, whether by arbitrary violence,

lence, unconstitutional influence, or clerical intrigue, such power is, I say, unconstitutional, and must, by its insinuation, and secret influence in our government, have produced many of those evils in our political system, against which the genuine spirit, and the original principles of liberty in our civil establishment have in part made provision. "We see the summits of buildings, their foundations lie out of sight^a." But the history of nations demonstrates this political truth, that where any power in a state can do harm, it sometimes will. Hence the prudence of this maxim, "Nothing wants so much watching, as power."

Nor is it sufficient to say, (as I have already hinted,) that the church has received the sanction of english law, and makes a part of legal administration. For as no law is just, which is not made by the people, and does not serve the public interest, so neither is it strictly constitutional, if it goes contrary to the original principles, and general tendency of our constitution. And, on this consideration, I will take on me to say, that priesthood is no natural part of our body politic, but, like an unseemly excrescence, mars its proportion, and exhausts its strength.

The trial of criminals is a most important branch of the executive power: and it is now reckoned among us an essential part of political prudence, that the king, in his own person, should possess no judicial capacity. Even in king James's time, when his majesty would needs distinguish himself in a court of judicature, he was informed, that "he could give no opinion there." It has been remarked, that if this was not the case, the king must either possess the ridiculous capacity of unmaking his own laws, or lose the great attribute of sovereignty, that of

^a Operum fastigia cernuntur, fundamenta latent. Quintilian.

granting pardon. Besides, What security would the subject have against oppression? Where the judge is also principal executive magistrate, he may give an unjust decision, in order to inflict a cruel punishment ^b.

The government, of which I am speaking, admits practices, not to be reconciled with these favourite maxims. I have already remarked the caution, with which the Britons guarded against the imperial or roman law. This caution has been said to have preserved the freedom of our civil constitution. But those very laws, by which the Romans were enslaved to their emperors, and which afterwards enslaved almost all Europe, in union with others, which made the roman pontiff sovereign judge of christendom, being formed into a body, govern our ecclesiastical courts. The common law, that guardian of english liberty, is a stranger in our "courts of christianity." These laws received their origin, and their characters, not from the voice of a free people, but from the authority of popes, and councils, of letters patent, and royal declarations. Henry the 8th, in the 35th year of his reign, formed a design of framing a new body of ecclesiastical laws, and it was enacted in parliament, that a review ^c of them should be made. It was, however, never completed, the most probable reason for which I have already given. The same design was formed by the lower house of convocation in the reign of Edward the 6th, though it did not succeed. Some canons, indeed, were published by queen Elizabeth, and a larger collection introduced by the clergy under James the 1st, but, as was observed before, they were not authorized by parliament, but imposed by the king's declaration. Eccle-

^b The administration, however, of justice, was anciently in the crown, and kings rode circuit themselves every seven years. Pref. to the Mirrour of Just.

^c Burn's Ecclef. Law. Pref.

fiastical courts are held by laymen, and the clergy, as the king's ministers; and the king can disannul their decisions, and stop all their proceedings. Bishop Hoadley and Dr. Doddridge were preserved by majesty from the base designs of a convocation.

But the following case is well worthy of observation. In queen Anne's reign the lower house of convocation judged Mr. Whiston guilty of heresy. He had written against the doctrine of the holy trinity. His judges, afterwards waited on her majesty, to receive her instructions, and she cleared Whiston of a damnable heresy^d. The part, which her majesty took in this affair, was not that of a sovereign, dispensing a pardon to a criminal (as in the case of the parson convicted of adultery,) but that of a judge, clearing the defendant of a crime. In a court of common law would such a practice be admitted^e? But what shall we say, to see our princes sit as judges, and pass sentence of death for the CRIME of heresy? Yet this did Henry the 8th.

In a word, in this government the people are subject to laws, in the framing of which they had no share; they have been liable to troublesome processes, without the benefit of a *jure parium*; the clergy are bound by slavish canons, quite foreign to the genius of our common law; ministers are placed in parishes without the appointment of the people, and a vast tax is raised to pay them without the people's consent.

Britons, Do ye admire the form of magna charta? See then, whether ye can trace any feature of resemblance

^d See Towgood's Dissent justified, 5th edit. p. 27.

^e The case alluded to was, that of Lambert, who was tried in Westminster Hall, and burnt for denying the corporal presence. Burnet's Hist. of the Reform. p. 2. b. 3. p. 253, 254.

to it, in the canons of the church: were our civil concerns administered by the same plan of policy, as our ecclesiastical, the government would in fact be dissolved, and we should be placed in those circumstances, in which a people may justly make their appeal to heaven^f.

If then for no other reason, than because I am an englishman, I would not subscribe the 39 articles. For the clergy are in a state of abject dependence on the civil magistrate, and of miserable subjection to unconstitutional canons. Yet pitiable as this subjection is, as it concerns the clergy, a plan, giving them relief, if it stopped there, might produce infinite evil on the community. "While the civil magistrate," as Bishop Warburton remarks, "endows the clergy, and bestows on them a jurisdiction with coercive powers, these privileges create one supreme government within another, if the civil magistrate have not in return, the supremacy of the church. And nothing is so much to be dreaded, as an ecclesiastical government, not under the controul of the civil magistrate. It is ever encroaching on his province, and can never be satisfied. In the roman church, when spiritual men had got influence enough to be exempted from civil courts, and to set up a separate jurisdiction, popes became by degrees the sovereigns of emperors and kings. Cardinals, the beloved children of those popes, became princes; and bishops, as their brothers, became at once secular and spiritual lords. And on the other hand, the presbyterian government, during the little time it prevailed in England, gave no favourable proofs of its designs, when its progress was retarded by Oliver, and his independents. A religious establishment, free of many of those political evils, which are wont to

^f See Locke on Gov. b. 2. 19.

attend a state of religion, might, I own, be framed, but the true policy is, to let religion, and civil government exist apart, and to encourage each to attend to its own province. Both then will flourish."

Lest I should be suspected, in speaking of the supremacy, to have followed the freaks of fancy, or the bias of party, I close with the reflection of an elegant writer, now a prelate of the church^a. The sequel of his (Hen. the 8th's) reign, shews, that he took himself to be invested with the whole ecclesiastical power, legislative as well as executive: nay, that he was willing to extend his **ACKNOWLEDGED RIGHT** of supremacy even to the ancient papal infallibility, as appears from his sovereign decisions in all matters of faith and doctrine. It is true, the parliament was ready enough to go before, or at least to follow the head of the church, in all these decisions. But the reason is obvious, and I need not repeat to you, in what light the king regarded their compliance with him.—These words are put into the mouth of one who had well examined into the extent of the supremacy, and had an accurate acquaintance with the **HISTORY** of the **REFORMATION**^b.

^a Hurd's Dial. on the constit. of the eng. gov. p. 283. 3d ed.

^b Bp. Burnet.

CHAP. IV.

THE PERSECUTING SPIRIT OF THE CHURCH OF
ENGLAND.

BUT I cannot help remarking the spirit of persecution, which characterizes this system.

A nation, asserting its own freedom, is a "nation of heroes:" and never acts more in character, than by becoming the guardian of neighbouring states, and protecting their liberties. What a severe, but just rebuke was this of the roman conquerors! Liberty was at their centre, but tyranny in their extreme parts. Nothing reflects higher honour on Britain, than the place, which she holds in the system of Europe, and the influence, which she has had in preserving the balance of power. What preserves that suppresses tyranny.

A church, also, the basis of which is laid in freedom, is favourable to the highest exertions of virtue, and the members, that compose it, never act more in character, than when they aim to procure religious liberty for other communities. It hath, however, been often remarked, that people, the most violent in procuring liberty for themselves, have not been always, in their turn, the most ready to bestow it on others. The unitarians in Poland^a, the quakers in Pennsylvania, and the baptists in Rhode Island, reduced the amiable doctrine of moderation to prac-

^a Jo. Crellii f. vindiciæ pro libertate religiosa, inter frat. pol. Penn's select Works, and Ramsay's Hist. of the American revolution, vol. 1. p. 12, 21.

tice, (for one or two deviations from this policy affect not the general remark). But most of those, called reformed churches, neither allowed it amongst themselves, nor suffered others to enjoy it. The french protestants, who sacrificed every thing, to obtain religious liberty, knew not how to practise it ^b; and the Genevese, who freed themselves from one religious tyrant, were forced into an oligarchical system, which countenanced persecution ^c.

I have shewn, that the church of England allows no liberty to its own ministers. Doth it not also violate the liberty of others, who lie out of her community?

England, as well as other christian states, having learnt the art of persecution, had been accustomed, in ancient times, to “ deliver heretics to the secular power.” This pious ardour seems, however, not to have been congenial to the english character. For the execution of the laws against heretics had been rarely known till the days of Wickliffe. The first bill passed for the purpose of giving them full force, was in the fifth year of Rich. the 3d. I call it a bill, for having never been sent to the house of commons, it cannot be deemed a law ^d.

Henry the 8th was not over anxious, it is said, to persecute for heresy. Many, indeed, were sacrificed either to his pleasure, or his ambition. Such were some of his queens, the bishop of Rochester, and Sir Thomas More. The cruel treatment of the family of cardinal Pool will also be recollected: but others fell beneath the hand of religious oppression. Lambert was burnt for denying the corporal presence. In 1538, 500 were thrown into jail

^b Quick's Synodicon.

^c Preface to Hooker's Eccles. pol.

^d See an account of this pious fraud in Burnet's Hist. of the reform. part 1. p. 25. 2d ed.

for opposing the six articles, and when Gardiner and Bonner came into power, Barnes, Gerard, and Jerome, were burnt. I take no notice of those who suffered, before his majesty became supreme head of the church.

The gentle Edward, too, to humour his divines, and to guard against heresy, was constrained, though against his inclination, to make two human sacrifices, Joan of Kent, and George Van Pare^c. Some experiments were also made on Mr. Humphrey Middleton^f. He was seasoned in Edward's, but not effectually cured till Mary's reign. Nor should it be forgotten, that the liturgy, authorized in 1548, was established under severe penalties, and that popish bishops were imprisoned by a protestant king^g.

The "golden reign of the virgin queen" was interrupted by schismatics, and these (the puritans, I mean) found work for the bishops. Many lingered, and some died in jail, and others were burnt,—men who were friends to civil government, and felt a loyal attachment to her majesty. "Thou wast present at the death of Mr. Barrow," said queen Elizabeth to the earl of Cumberland. "I was, and please your majesty," replied his lordship. "What end did he make?" continued the queen. "A very godly end," answered the earl, "and prayed for your majesty^h and the state." This injured Gentleman (Mr. Barrow) in his account of the high commission court, erected in this reign, justly remarks, "That it was pre-

^c Burnet's Hist. of the Reform. vol. 2.

^f Pierce's Vindication, &c. p. 35. 2d ed. From Fox.

^g Bonner was confined in the marthalsea, Tonstal in the tower, as was also Gardiner, where, as Fox expresses it, "he kept his Christmas three years together." Fox's Acts and Mon.

^h Pierce's Vindication, &c. part 1. p. 147. 2d ed.

judicial to the prerogative of the prince, the jurisdiction of the royal courts, to the liberty of the free subject, and to the great charter of Englandⁱ." Queen Elizabeth also burned some baptists, who fled from the spanish persecutions in Flanders.

James and the two Charleses were too true to the principles of the church of England^k, finding persecution the shortest manner of proof, that "The church hath power to decree rites and ceremonies." In Charles the 2d's reign the act of uniformity passed; in consequence of which, two thousand clergymen were ejected from their livings, and eight thousand puritans perished in jail: a greater number than what perished in the reign of that princess, whom all protestant parties in England agree to call the bloody Mary.

Puritanism, though in rags, still continued to gain ground. Accordingly, church policy required, that some vigorous efforts should be made. Prisons, therefore, were made trials of against puritanism, and as prisons could not produce conversions, a design was formed to starve it to death. The conventicle, and Oxford acts, it was thought, would do the business completely. Cruel mother was that church, who first cast her children from her own bosom, and then deprived them of the compassion of strangers! Whose discipline forced them from consecrated walls,

ⁱ Barrow's Brief discovery of false churches.

^k I do not speak at random, when I call persecution a principle of the church of England. To understand in what sense it is so, it may be recollected, that the very James, who wrote a letter to queen Elizabeth in behalf of the puritans, when in Scotland, was the first to persecute them, when he became head of the church of England. See James's Letter to queen Elizabeth, in Udal's trial, p. 43. Dr. Heylyn, as Mr. Pierce hath observed, gives an imperfect copy of this letter. Hist. Presbyt. p. 316. Pierce's Vindication, &c.

and whose authority aimed to prevent them from worshipping God at all¹!

Let it be recollected here, that while ecclesiastics were sporting with the consciences of their christian brethren, the state made several efforts to give them ease. The parliament, during this period, wished to repair a superstitious church, and to mollify a cruel clergy. But fawning priests rendered every attempt fruitless. There was no meanness, to which they did not submit. They appealed to foreign divines, and suppressed their genuine

¹ By the latter of these cruel acts, every parson, vicar, curate, lecturer, or other person in holy orders, or pretended holy orders, was to take an oath, or not come within any city or town corporate, or borough, wherein they had preached before, under the penalty of forty pounds, or being committed to prison for six months without bail or mainprize. The oath was as follows :

“ I, *A. B.* do swear, that it is not lawful, upon any pretence whatever, to take arms against the king, and that I do abhor that traiterous position of taking arms by his authority against his person, or against those, that are commissioned by him, in pursuance of such commissions ; and that I will not at any time endeavour any alteration of government, either in church or state.”

And to cut off the only hope that remained for many of them, they were prevented from teaching in any public or private school, or taking boarders in their families.
17 C. II. c. 2.

By the Conventicle act, if five persons, or more, assembled together, besides those of the same household, either in a house, or a place, where there was no family inhabiting, the penalty for the first offence was five shillings, for the second ten. Those who preached in a conventicle, for the first offence forfeited twenty pounds, for the second forty. Those who suffered conventicles in their house, forfeited twenty. These fines were to be levied by distress and sale of the person's goods or chattels : but in case of poverty, on any person convicted in the same manner in the same conventicle. Constables might break open doors, and Lieutenants, &c. might disperse conventicles, either with foot or horse, &c. Our learned Commentator on the laws of England, therefore, one would hope, was scarce in earnest, when he dates “ the complete restitution of English liberty, from after the restoration of Charles the second.” Moreover a standing army was introduced at this period.

testimonies.

testimonies. Even the prayers of these reverend politicians was the breath of intolerance, and fanned the flame of persecution. The history of the quakers too in Charles the 2d's reign exhibits instances of the most grievous oppression, and of the most unexampled patience^m.

That was a joyal era to dissenters, which gave them a legal character in England! Before the revolution, nonconformity was treated as a crime by our law, and exposed to severe penalties. By the act of toleration those penalties are not barely suspended; but dissenters are cleared of the crime itself, and provided they come within the limits of the toleration act, are legally exempt from punishmentⁿ. The act of toleration, it is confessed, still wants the revising hand of the legislature. "It is not given with that latitude, which true christians, without ambition, or party views, could wish. But it is something to go thus far: for by these beginnings, those foundations of liberty and peace are, I hope, laid, on which the church of Christ will come in some future time to be established^o." But so far as it goes, it was an act of the state, in which the church, as an ecclesiastical body, had no share. The last act of reformation was the framing of canons! Mr. Robinson's distinction is certainly just. The state tolerates, the church does not^p.

Jews, and catholics, presbyterians, and independents, quakers and baptists, and even churchmen themselves, are injured by episcopacy. To preserve the church, it be-

^m See Pen's Works passim. It was in Newgate that Mr. Pen wrote his excellent dissertation, entitled, *The great Cause of Liberty of Conscience debated and defended by the authority of reason, scripture, and antiquity.* Select Works, vol. 3.

ⁿ Dr. Furneaux's admirable Letters to Judge Blackstone, let. 1.

^o Mr. Locke's Letter to Mr. Limborch.

^p A Plan of Lectures on the principles of nonconformity. Pref. p. 5. 5th ed.

comes necessary to deprive Englishmen of their rights. I, therefore, call it unconstitutional : and have taken this short view of its conduct, in order to exhibit its true character. For, it was not as fathers of a free people, governed by their own laws, that the kings of England embrued their hands in blood, and sported with the liberties of their subjects, but as heads of a church, which cannot exist without persecution in some form or other ; and as rulers of that church, spiritual lords, ejected, persecuted, imprisoned, and burnt.

When the english church persecuted, it will be said, they did but follow the current of the times, and kept pace with other reformed churches. Persecution, it will be allowed, originated in partial discoveries of truth, and imperfect notions of the interest of civil society. When reformers held, that societies of heretics were unlawful, because the errors, which they believed, were wicked ; that some religious sentiments were not only dishonourable to religion, but injurious to society,—that it was the province of the civil magistrate, to protect the faithful, and to guard the truth—men, I say, who had adopted these sentiments into their creeds³, had but to determine first, who were heretics, and then to leave the sword in the hands of civil rulers, with pious directions, to use it for the glory of God ! Strange piety, exclaim deists, that makes persecution an affair of conscience !

It is natural, however, to remark, that the people, who in England exposed themselves to the censure of the civil magistrate, would be of two descriptions ; those, who objected to matters of discipline, but were orthodox as to doctrine, and those, who were heretical in doctrine, but orthodox in discipline.

³ Claude's Hist. Def. of the Reform.

The faithful have usually acknowledged the former to be of the true church. They were divided, indeed, from the body, but they were still considered as members. But the latter, who taught false doctrine, that is, sentiments, contrary to what the church believed, were not considered merely as divided from the body, but as never having been members. Such were the arians reckoned by the orthodox. Now, the rigours, exercised in England, were usually against men, who, according to the 39 articles, were sound in the faith, and objected only to the discipline of the church^r, a presumption, at least, that persecution in England has been not so much a matter of conscience, as of policy. Base policy, characteristic of priests, not of Britons!

* The reason, however, of our having so few examples of sufferers for doctrinal heresy, was not a scarcity of church laws and statutes for that purpose. But the truth is, the rage of orthodoxy had so inflamed all parties, as scarcely to have left room for arians and socinians to put the soles of their feet, and few thought of pursuing religious inquiry but within the circle of orthodoxy. We have a remarkable instance of this in the life of Mr. Biddle. This excellent person, of whom Mr. Anthony Wood says, "that, except his opinions, there was little or nothing blame-worthy in him," received the iron rod of persecution from the hands both of presbyterians, and episcopalians. At the solicitation of the former, the parliament passed a cruel ordinance, than which, as the author of his life justly remarks, "No decree of any councils, no bull of any popes, could be more dogmatical, few, if any, more sanguinary." The sentence was not executed, owing to a cause, in which presbyterian mercy had no share. He, however, suffered afterwards seven years' imprisonment; and was again, through the mercy of Cromwell, to preserve him from a harder fate, banished for three years to the isle of Scyilly. After the settlement of Charles 2. he fell into the hands of episcopalians, who once more threw him into jail, where, in five weeks, through the noisomeness of the place, he caught a disease, which soon put an end to his existence. Toulmin's Review of the Life, Character, and Writings of the Rev. John Biddle, M. A. The same observation will apply to the sufferings of Mr. Emlyn. See Memoirs of Mr. Emlyn's Life, pref. to his works, vol. 1. Of which learned, disinterested, and truly good men, it may be said, "It was noble to stand upright, when the world declined!"

I have

I have already exceeded the limits of a chapter: but I must beg the reader's patience a minute or two longer.

1. I have shewn, that the terms of ministerial conformity are not a little perplexing. If I subscribe, I resign my religious liberty; if I refuse to subscribe, perhaps, I am ruined. Let me take leave to add another word on this subject. Philander, whose unfortunate case I stated above, called on me the other day. He was telling me the sad tale of his sufferings, but before he got half through, he, who is by nature as gentle as a lamb, lost all patience. He said some bitter things against the act of supremacy, the 39 articles, and the liturgy, and growing warmer at every new period, he, at length, went so far, (for I will conceal nothing from thee, courteous reader,) as to call the church of England "the seat of the beast." Thou, reader, who hast perhaps subscribed, and enjoyest a comfortable warm place within the bosom of the church, mayest blame the asperity of poor Philander. For my part, I cannot find it in my heart to censure the afflicted. However, in few words I thus addressed my friend. "Philander," said I, pointing to the statutes at large, and the book of canons, which lay open on the table, "know, that thou art now liable to suffer imprisonment for one whole year, without bail or mainprize, and by repeating thy offence a third time, of being imprisoned for life^s. Know further, that thou also standest excommunicated by the canons^t, and that

^s 1 Eliz. c. 2.

^t See the eight first canons of the church of England. By the three canons next following, Philander also is deprived of setting up a separate place of worship, without exposing himself to the same dreadful sentence, of being *ipso facto* excommunicated. It may not be amiss for the reader to recollect the 38th article. "Of Excommunicate persons, how they are to be avoided."

that if human nature had not something of softness in it, which flows with too brisk a current to be overtaken by the laws of the church, thou hadst been beyond the reach of pity."

In estimating the state of religious liberty within the church of England, I have always accustomed myself not barely to weigh the articles by themselves, but to throw into the scale all concomitant evils, all the religious fences, and human terrors, which surround them.

2. I have quoted the act of supremacy, as passed in Henry the 8th's reign. I will therefore just add, that an act, passed in Edward the 6th's, was of the same import^u, and, particularly, that in Elizabeth's; for though the queen made some objection to the title, she did not scruple to use the whole power of the supreme head.

There are two kinds of excommunication, the greater and the less. By the former, a person is pronounced accursed, consigned to the devil, and cut off from Christ, and from fellowship with his church. The latter only excludes him from receiving the sacraments: but where the nature of the excommunication is not specified, the greater is always understood, *Excommunicatio simpliciter prolata, intelligitur de majori*. The following instructions given to the clergy will explain the church's sense of the greater excommunication.

Populum condocesfaciant, excommunicationis fulmine perstrictam personam, ex ecclesia, quasi cadaver, ejici debere, nec Cænæ Domini participem, nec divinorum officiorum, nec christianæ societatis, sed a sinu communis christianorum matris ecclesiæ revulsam, et abruptam a corpore christiano simul et terra esse exturbatam, diabolo, et ejus consceleratis ministris mancipatam, et sempiternis flammarum cruciatibus addictam. Reformatio Legum. Edit. Lond. 1640. p. 163. The ipso facto excommunication commences from the commission of the fact, which being supposed of a very heinous nature, did not require an ecclesiastical process. And thus, by the canons of the church, every dissenter stands ipso facto excommunicated. May the sentence prove as harmless in another world, as that denounced by St. Hilary against the Flies! See Wilton's Review of some of the Articles of the church of England. Art. 33.

1 Edw. VI. c. 12. § 6. 1 El. c. 1. § 17.

3. In addition to what I have said on our ecclesiastical polity, as compared with the civil, I will beg leave to remind the reader, that the era of the clergy's subjection to the civil magistrate is to be dated from the reformation. Prior to that period a synod might be assembled, and ecclesiastical business transacted, by the bishop's sole authority. But by the act of submission^w, synodical business cannot be transacted without the royal sanction; for the clergy "cannot enact, promulge, or execute any canon, constitution, or ordinance, &c. without the king's most royal licence," on pain of suffering imprisonment, and making a fine at the king's will. Moreover, the king and parliament (that is, the state) can make laws to bind the clergy, without their consent, but the king and clergy cannot, constitutionally, frame a canon to bind the state.

4. I have remarked the persecuting spirit of the church. Every intelligent reader will easily make a distinction between the genius of an ancient constitution, and the sentiments of the reigning clergy. Far be it from me to indulge any ungenerous passion in my own breast! Nor would I wish to excite it in others. For the cruel maxims of their ancestors, the present clergy are, by no means, accountable: and, indeed, such is the liberality of the present times, that a churchman, giving himself the domineering airs of former periods, sinks himself beneath contempt. Nor, indeed, are the more sensible and ingenuous part of the clergy backward to acknowledge and to lament over the defects of our national establishment. At the same time, I think it a misfortune for a generous mind to be entangled in such a constitution.

^w 25 Hen. VIII. c. 19.

Men, who subject themselves to any authority, under which they act, must frequently yield to its prevailing temper, in opposition to their better convictions, and more liberal sentiments.

5. Nor should I think I did the dissenters justice, if I did not guard against an improper use of an hint on the intolerant spirit of the ancient presbyterians, against which I shall ever feel as much indignation, as against that of the opposite party. I am sure I say the truth, when I affirm, that "Presbyterianism hath no existence among them. They who, very improperly are called presbyterians as consistent protestants, and as genuine advocates for liberty, have no rivals, and few equals." But I know with what ungenerous designs some writers have been so much disposed to confound them. And yet they are as distinct characters, as the fifth monarchy men, and episcopalians.

CHAP. V.

THE CLERGY ARE NOT REPRESENTED AS AN ECCLESIASTICAL BODY, NOR IS THE CHURCH AN ESSENTIAL PART OF THE ENGLISH CONSTITUTION.

A SHORT discussion of these two positions will tend, perhaps, to illustrate some of the preceding remarks.—And, in order to take a fair view of the subject, it may not be amiss to make a reflection or two on parliaments,

and the different properties of the different assemblies of the clergy.

I do not think it necessary to remark, that the term parliament is of french extraction; nor shall I go out of the way to make remarks on those writers, who have asserted we had no parliaments before the " conquest."

I have already observed, without entering on a dispute about the term, that the thing existed among the ancient Germans, and, that as our saxon ancestors^a had their councils of the wise men, so also our more early ancestors, the Britons, had similar assemblies. The author of the treatise, entitled, *modus tenendi Parliamenta*, remarks, that kings held parliaments and councils with their people, even before bishops and lords were made^b. This is true, if by lords or nobles we understand dukes, marquisses, and viscounts, and the like hereditary titles and distinctions, which, as observed before, are of comparatively modern date: our titular nobility, as Mr. Sidney accurately observes, have no resemblance to the ancient nobility of England: the nation having been anciently divided into noble-
men or freemen (for, strictly speaking, they were the same) and villains and slaves^c. Sir H. Spelman's account of the degrees of persons, (and he was far from being a republican) may be made consistent with this representa-

^a " Although in the saxon times I find the usual words of the acts then to have been, *edictum, constitutio*, little mention being made of the commons, yet I further find, that *tum demum leges vim et vigorem habuerunt, cum fuerunt non modo institutæ, sed firmatæ approbatione communitatis.*" Translator of the *Mirour*.

^b *Miltoni pro pop. Ang. Def. cap. 8.*

^c On gov. c. 3. l. 28. Sidney says slaves, without noticing villains: villains and slaves, however, were not, strictly speaking, the same, though they are frequently confounded by our best writers. See the *Mirour of Justice* and Sir H. Spelman's *Remains*. Writers have not distinguished villenage from pure villenage.

tion^d, and on these principles it was, that the commons thought themselves justified in suppressing the house of peers, which also Milton justifies on this principle, that having been too much at the king's beck, they should not be the judges of a free people^e. But to proceed.

The assembly (which we now call the parliament,) was known among our saxon ancestors, by a term expressive of that deliberate wisdom, which ought to preside in the supreme authority of a nation: it was also styled the "common council of the kingdom, the great council of the king, the great court, the convention of the nobles, and chiefs, the general assize, and the community of the kingdom of England. Of which great council it has been said, "If you consider its age, it is most ancient; if its dignity, it is most honourable; if its jurisdiction, it is transcendent and absolute; it alone can, (I mean the present high court of parliament, composed of king, lords, and commons) make laws, and that which is law, it can make no law." Making, however, proper allowances for the right, possessed by every nation of forming a constitution, if it has not one already, of improving one that is imperfect, or of reclaiming, by the principles of the constitution, the declensions of government^f.

The

^d Spelman, indeed, (strictly speaking) makes four distinctions of persons, the earl and husbandman, the greater thane, called also the king's thane; and the lesser, called theoden. These, however, were all free men; and as the earl and thane were neither of them originally degrees of dignity, but of office, they were on their good behaviour, and at furthest, only continued for life. The earle or husbandman, might be a leader of his countrymen, and a thane might become an earl. Reliq. Spelman. On Feuds and Tenures, ch. 5.

^e Though I think Mr. Prynne has clearly proved that the *modus tenendi parliamenta* is not of that high antiquity, which Sir Edw. Coke, Milton, and others claim for it, yet it answered the purpose, for which Milton quoted it, nor is the fact there asserted by any means weakened.

^f The reader will perceive, that I abate somewhat of the admiration, expressed in a former edition, of the english constitution. Indeed, were the constitution of England

The assemblies of the clergy were, anciently, of two kinds: of which the former may be called "parliamentary conventions," afterwards exchanged for "convocations," which in their end and constitution were merely of a civil nature, the other were "diocesan synods," and provincial councils, which treated only of spiritual matters. Synods were, perhaps, coeval with the establishment of christianity in this island, and when the greater division was formed, the archbishops exercised in their provinces the same power, which the bishops did in their respective dioceses. The origin of the parliamentary assemblies of the clergy was as follows.

Long before bishops were insinuated into our government, kings, as I hinted before, held councils, and formed consultations with the people. But when christianity had got a settlement among us, our pious ancestors, to requite their spiritual services, gave large temporal possessions to the bishops and clergy. From considerations of prudence[§],

as

land so excellent, as it is said to be, it might be miserably defaced by a weak or wicked administration: the genius also and manners of a people may so alter, as to make what may appear almost perfect at one time, full of imperfections, when considered in reference to another: nay, it may even happen, it certainly will happen, that governments may arise more complete in form, and more just in administration, than any now in being. England gave principles to America, France, and Poland: but will any one say, that England may not receive something back from each? I shall speak more freely on this subject presently.

§ I here make some concessions to the imperfection of our ancestors. For though piety had its share in increasing the property of the church, great part of it was procured by artful and unjust measures, such as the concessions of superstitious and tyrannic princes; the insinuating address of monks, who procured the alienation of immense property, pro anima, and cajoled minors into religious houses, and thus got possession of their property. See Robinson's hist. of bapt. c. 27. Testamentary bequests also were a fruitful source of riches. By these expiring saints got a passport for heaven, and the clergy canonized them on earth. Testamentary

as well as piety, (for the clergy were in possession of all the little learning of those times,) our ancestors, also, resigned to them most of the great offices of state. Hence, they were admitted into the great council of the nation, and had a considerable influence in the management of public affairs. But our ancestors also perceived the justice of assigning a part of the public burdens to those, who had so large a proportion of the public treasure. Prior, therefore, to the alteration of their tenures by the conqueror, who laid further services on them, their property had been liable to a three-fold tax of “ castles, bridges, and expeditions,” omnibus hominibus communia: and though by the charter of privileges (ratified by the council of Winchester, an. 855) they had been free from it, yet they continued to pay it^h.

As yet, however, the bishops and prelates only were admitted into our state councils. But the inferior clergy also had large temporal possessions. There was, therefore, the same reason for their contributing proportionably, to the exigencies of the state. The following expedients were, therefore, formed. The pope used sometimes to impose a tax on them, to supply the king's necessities, and they were obliged to pay it. At other times, on any emergency, the bishops were accustomed to raise “ a benevolence” from their clergy, and the king remitted letters of security, that what was granted in a way of favour, might not, in future, be demanded in a way of obligation.

bequests in favour of religious societies had been forbidden, for obvious reasons, by the roman law; but from the time of Constantine the great, large possessions, both in moveables and land, were procured by legacies. Millar's Hist. view of the eng. gov. p. 94.

^h Spelman's Feuds and Ten. c. 10.

It is, therefore, obvious, that the supplies of the prince would depend on the beck of the pope, and would, sometimes, be forced to yield to the humours and caprices of the clergy. They would, of course, be precarious. A more permanent and productive method was, therefore, to be found out: and Edward the first adopted the following measure.

When he summoned a parliament, the greater clergy were also ordered to attend, by the customary method of issuing a writ. A new clause was, therefore, inserted in it, called the *præmunientes* clause, requiring him, to cite some of the inferior clergy to attend him in parliament, “to grant him aids in the name of the whole body of the clergy¹.” They accordingly used, from this time, to attend parliament, had a share in the legislature, and formed a separate estate, though in civil matters their consent was frequently not asked, and even their dissent was frequently superseded. “The exercise of their negative, otherwise than in ecclesiastical matters, is not so clearly handed down to us.” Of the inefficacy of their dissent in civil affairs, there is a remarkable instance in the parliamentary rolls, in the third year of Richard the 2d^k, and even in affairs, which related more immediately to the church, if they interfered with the interest of the state, their remonstrances were overruled by the king and parliament. Indeed, they were not always summoned even to attend the great council, which circumstance, though it may, in part, be accounted for, by considering these, as “the irregular seasons of the constitution,” when it was no unusual thing to omit many of the names of the ba-

¹ Wake's State of the cl. and ch. of eng. ch. 1. l. 3.

^k Rot. Parl. 3 Rich. II. No. 38. Wake, ut sup. ch. 1. sect. 12.

rons¹ in the king's briefs, yet it is certain, that they always considered their attendance as a burden, and were never easy, till they were fairly released from it.

Accordingly, from the time of Edw. the 2d, the clergy were allowed to meet in "convocation," our princes not being disposed to dispute the place of their assembling, provided their necessities could be effectually supplied. Instead, therefore, of taxing themselves, and having a share in the great council of the nation, as a separate estate of parliament, the clergy were allowed to tax themselves in "convocation," an assembly formed purely for state purposes, called together by the king's writ^m, meeting at the time the parliament sat, and waiting on the king's necessities: a distinct assembly from a synod, as I hinted before, which was called together by the bishop's sole authority, and was concerned only in the affairs of the church. Now the period of the clergy's losing their consideration in parliament, is to be dated from the time, when they first granted their supplies in convocation; for, though they occasionally sent a few proctors to parliament, they lost their parliamentary character, which they never afterwards regained. So that, in fact, they had little reason to triumph in the great point, which they had gained: having sunk in real dignity, and legal consideration, in proportion as they advanced in usurpation, and rose in the scale of imaginary freedom.

To remove every suspicion of partiality, in what I have here advanced, on the civil character of the clergy, I beg leave to remind the reader, that I have herein followed,

¹ Veruntamen nec hi quidem omnes (nempe barones) semper sunt adhibiti: Spelman. Gloss. baro. And even in a subsequent period, the commons were not unfrequently omitted, as in the 19th year of Edw. III. Warburton's Alliance.

^m See Coke, 4 Inst. 323.

principally,

principally, the judgment of two celebrated prelates, who, though they do not agree in all the particulars alluded to, yet were they all admitted by one or other of themⁿ. It will, however, be recollected that judge Blackstone is inclined to speak of the spiritual lords as a distinct estate; "because," says he, "they are so considered in the eye of the law, and are so distinguished in most of our acts of parliament." If, however, the facts which I have stated, be true, that character is now really lost, though it is a very common thing to retain certain formalities in acts of parliament, when the thing itself, which gave birth to them, has long since expired. Indeed, the learned judge himself does virtually confess this, for he adds, "yet in practice they are usually blended together under the one name of "the lords," they intermix with their votes; and the majority of such intermixture joins both estates."

It hath also been thought, and, as he himself seems to think, not without reason, that their having no negative voice, and no distinct house for deliberation, deprives them of the reality of a third estate. Besides, that the numbers are now too few, to make them the representatives of the body of the clergy, on the feudal plan.

I have said in a former place, that the bishops are not peers of the realm, but lords of parliament; wherein I followed the authority of the aforesaid eminent person. As some of our most respectable lawyers, have formed different determinations on this question, and as the present inquiry is not materially affected by it, it would, perhaps, be my prudence to avoid meddling with it. I will, however, take the liberty of making a few remarks on this subject.

ⁿ Wake and Warburton.

• Commentaries on the laws of England, vol. 1. b. 1. c. 2.

Sir Henry Spelman under the article *pares*, or *peers*, distinguishes them into those, who live in their feuds in an equal condition, and those, who are equals in the same court *P.* “And all are called peers, or equals in a court,” he says, because in the court of that lord, whose vassals they are, “they have an equal authority,” as the vassals of the king in the great court of the realm, the vassals of the earl in the court of an earl, the vassals of a baron in the court of a baron. They took cognizance of all causes pertaining to the court of their lord, and to their mutual interests, in any question, which respected their feud, and breaking fealty towards their lord.” “For,” continues he, “by ancient right, they were bound to be present with their feudal lord in all weighty causes.”

Now the bishop makes the living by an equal law or in an equal condition, he makes this, I say, of the essence of feudal peerage, which will therefore hardly apply to the bishop's argument, for the possessions of the clergy differing (being held in free alms, or frank almoigne) so also did their service; they did no homage, or fealty, or indeed “any earthly or temporal service¹,” which rendered their condition very different from those of whom such services

¹ *Pares*, &c. qui feudalibus pari lege vivunt; & *Pares Curia*, quod in curia domini illius, cujus sunt vassalli, parem habent potestatem, scilicet, &c.—The latter he thus describes at the beginning of this article, *Pares Curia* sunt, qui in eadem curia sive regis, sive comitis, sive baronis, “pari funguntur potestate, parique lege & conditione” vivunt. Gloss. Arch. Tit. *Pares*.

² For which Littleton gives the following reason, “Therefore they shall do no fealty to their lord, because that this divine service is better before God, than any doing of fealty.” “For as he had said before, “Et tiels que tiegnont en frank almoigne sont obliges de droit devant de Dieu de faire orisons, priers, messes, & autres divine services purs les almes de leur grantor ou seoff.” Instit. of the Laws of Eng. l. 2. s. 135. By Coke. This, however, applies only to those called *clerici ecclesiastici*. Ecclesiastics holding lay or secular feuds, did service for them: they also did homage for clerical dignities. Du Cange. *Syb voce Feudum*.

were exacted^r. On this principle, prior to the conquest, though the bishop sat in the same court with the alderman or earl, yet strictly speaking, they could not be sub *pari lege*.

Besides, his argument appears to me defective on another ground. For if his distinction prove any thing, it proves too much. In the saxon times, the great assembly, composed of clergy and people, "*tam cleri, quam populi*," among other titles was called the "common council of the elders, or nobles, and people of the whole kingdom," so that all the *frilingi* or freemen were, in this sense, *pares* or peers.

William, commonly called the conqueror, altered and new modelled the feudal tenures of this country. He divided the whole land among his nobles, who holding of the king in chief, by the service of barony, were therefore enrolled in the "*doomsday book*," as the king's barons, and the barons of the kingdom. The tenures of the clergy, also, by the declaration of the council of Clarendon, underwent the same change, who having hitherto held in free alms, did, from that time, in common with the laity, hold by barony^t. Now one great privilege of barony was, a trial by their peerage^u: a privilege, indeed, of very great antiquity^w, and justly esteemed the pride of englishmen.

^r I speak here on the supposition, that the feudal tenures were established before the conquest; and this is most probable (though not long before) by the intercourse which took place with the Normans before that period; Sir Harry Spelman thinks not.

^s Concil. Brit.

^t Du Cange. *Sub voce Feudum*.

^u *Barones autem per pares suos debent judicari. Jura et Consuet. norm. co. 9, fol. 2. b. col. 2.*

^w *Parium originem vel a Gallorum ambactis apud Cæsarem, vel a centenis apud Tacitum comitibus, qui per pagos suos jus dicebant, et Principi Consilium ad-
rant :*

men^x. And since, in the most weighty concerns, the bishops are not in possession of this great privilege, (for, in capital cases, they are tried by the commons, nor can they sit in judgment on peers,) many very able lawyers have concluded, that they are not properly entitled to the character of peerage. Sir Edward Coke gives them the same appellation, as Judge Blackstone, viz. lords of parliament^y. Some have even contended, that they do not sit in the house of lords by virtue of their baronies, but by usage and ancient custom; alledging this reason, that the writ is issued to them electis et confirmatis, that is, before the restitution of their temporalities. Of this judgment was chief justice Hales.

Bishop Warburton, in proof of the contrary position, hath zealously contended, “that a title to peerage does not depend on their judging, or being judged^z,” or that if it does, the conclusion is equally strong, that they are peers, because, in misdemeanors they have a common right of trial with those, who have an undisputed claim to that title. But the bishop has gone further, he hath asserted, that the bishops were once in actual possession of this privilege, and undertook to shew, by what means they lost it. He seems also to think, that Henry the eighth would have “restored to them this high privilege, (which he supposes they once had) of being hanged by the lords,” if Fisher, bishop of Rochester, his personal enemy, had not been the first episcopal culprit.

rant: vel eo altius a centumviralibus iudiciis apud Romanos, non inepte repeto, Spelmanni Gloss. p. 448.

^x Nullus liber homo rapiatur, vel imprisonetur, &c. nisi per legale iudicium parium suorum, &c. Mag. Char. c. 30.

^y Coke upon Littleton, l. 2. c. 6. l. 137. Frank. almoigne.

^z Alliance, &c. b. 2. c. 3.

However, I cannot help remarking one concession, which he has made, viz. “that, if ever the prelates endangered their peerage, it was, when submitting to canons, against laws, they acknowledged the pope their “*seigneur suverain*.” Which was actually the case, by his own testimony, when the bishops were screened from the sentence of the civil judges; and, as this privilege was not restored to them, after they returned to their obedience, at the reformation, he seems to me to have weakened, undesignedly, his own argument, by the same mode of reasoning, with which he had, before, effectually destroyed the notion of the clergy’s being “now an estate of parliament.” So that should I agree with him, that the bishops were once peers, still further must I agree, “that, perhaps, true policy may require, that that desertion of the service of the state, and that refusal of civil subjection, should, for example sake, be branded with what he calls, a lasting punishment^a.” Nor can I so easily get over the following circumstance, as bishop Warburton does, viz. that there was actually a *declaration* of the house of lords against the peerage of the bishops, and that it still remains among “the standing orders of that house.”

But how far bishop Warburton hath established the peerage of the bishops, or, how far he has failed in argument, I leave to the determination of wiser heads. It is a matter of mere curiosity, and does not in the least affect my present question; provided their baronies which the aforesaid writer considers, as tantamount to peerages^b, be acknowledged to be mere lay possessions, though assigned

^a Alliance, b. 2. c. 3.

^b Sir Henry Spelman seems to be of the same judgment. Gloss. Tit. Baro. p. 68. He speaks of bishops among barones, qui inter pares regni numerantur. And he writes more diffusively on this subject in his treatise on parliaments.

to spiritual men: which he readily admits. I will, however, just add, that little can be determined, I think, on their parliamentary peerage from titles of honour, which lie even in the statutes of the realm, (on which bishop Warburton lays great stress,) frequently expressed in terms of mere courtesy. Nor need it surprise us, (without noticing the vagueness of the term peer, which in "ancient" times was nearly as undeterminate as its kindred, baron^c) that spiritual lords, sitting in the same house with lay, should, in subsequent periods, by courtesy of parliament, receive the same title, though it should not be acknowledged to be a legal one^d, or even should it once have been a legal one, if they ever lost it by their own folly, their being recognized in acts of parliament, even on his own principles in a similar case, proves nothing: for old forms and names, says he very justly, often continue, when a constitution hath undergone a change, not by violence, but by slow and insensible degrees.

But there is another title, under which bishop Warburton chooses to consider the bishops, viz. that of "guardian barons." Being qualified to sit in the house of lords, by virtue of their baronies, they are viewed by our constitution, he thinks, not indeed, "as representatives of the church," but, "as ecclesiastical persons, sitting in behalf of religion," that is, agreeably with his system, to guard against every encroachment, on what, he with too great confidence, calls the rights of the church. (Ne quid de-

^c Spelman. in Art. Baro et Pares.

^d In the statutes the king is called our lord; the parliament is called the king's parliament, and the laws are called the king's laws: yet this is all mere courtesy. Def. pro Pop. Angl. c. 8. So says Milton. It must, however, be confessed, that this courtesy proceeded from some original defects in the english government; if at least we choose to date it either from the coming in of the saxons, or of the duke of Normandy, which, however, would not be quite accurate.

trimenti ecclesia capiat.) Which, in fact, in modern times, not only include the rights of the church, properly so called, secured to it by the first clause^c of magna charta, (though some are resigned by the act of submission) but also many rights of the people, founded on the principles of that palladium of british liberty.

Now, whatever he may infer from the courtesy of some of our statutes, and whatever title he may assume for his political bishops, to make them appear under a character, which suits his own system, (of which the best I can say, is, that it is founded upon a fiction,) yet it is sufficient for my purpose, that it is “no constitutional or legal title.” The old custom of sending writs to the “guardians of the spiritualities,” in the vacancy of a see, to attend parliament, he thinks a plain declaration, that our constitution views them as ecclesiastical persons, sitting in behalf of religion. Which conclusion is drawn, I think, somewhat too hastily, from an inaccurate application of this title “the guardians of the spiritualities;” which relates clearly to the character of the persons, supplying the place of bishops, and not to the character of the bishops in the house of lords, where they sit, even by his own acknowledgment, in virtue of their temporalities. However, I do not feel myself disposed to strip his prelates of this fictitious title, it being a character, to which they have, at least, this claim; that they have, with tolerable management, guarded those encroachments, which, with great assurance, have been called the rights of the church, while the guardians of the constitution have been labouring to restore to their constituents the unforfeited rights of Britons.

^c Quod ecclesia sit libera, &c.

Thus

Thus much, at present, for this famous work, "the alliance," (which I shall have occasion to introduce again) a performance, though, I confess, in the main, ingenious, learned, and elaborate, as to its execution, yet, I must be allowed to say, degrading to the pure unmingled designs of christianity, in some cases erroneous as to facts, in others, insolent and disingenuous, in not a few marked with ignorance of men, on whose history the author ventures to decide, and in very many, inimical to the rights of citizens, and the boasted maxims of british liberty^f.

In brief, what I would say then, is this, that the clergy, though they once formed a "third estate of parliament," have now lost that character; that the bishops do not now sit in the house of lords, as bishops, or as representatives of the body of the clergy, but as barons; that consequently, the clergy, now, as an ecclesiastical body, are not only no estate in parliament, but not even represented in parliament: for, they can neither sit in the house of commons, and though indeed represented there, yet is it by virtue of their tithes, or other ecclesiastical dues; which, whether they be held by the clergy, or lay impropriators, are always freehold estates; though even the lands, from whence they arise, should be of an inferior character^g. So that they are represented only in common with, and in the same manner as, the laity, who are freeholders. They are a spiritual body only in convocation: and yet

^f I do not speak here of those parts, in particular, of this work, which I have been just considering; but of those, wherein he speaks of the benefits, which the church derives, by resigning what he is pleased to call her independence, (which I have called a fiction,) and forming an alliance with the state; and, particularly, where he speaks (b. 3.) of "the test law."

^g Blackstone's *Law Tracts*. Considerations on Copyholders, p. 205, 210 2d edit.

when

when so assembled, they are not, at the same time, a civil body even there, having now lost the power of taxing themselves: which character they retained in convocation, after they had lost it in parliament^h. And even for this, Britons ought to sing, *Te Deum laudamus*.

I will beg leave just to obviate an objection which may be made to what I have said (p. 195, 196) on “convocations;” which I considered, “in their end and constitution as merely of a civil nature.” It may be suggested, then, that synodical, that is, ecclesiastical business, was frequently transacted there. This is true: for which a learned prelate, in a very easy and natural manner, has thus accountedⁱ. It was no unusual thing, then, when the clergy were assembled in convocation for state purposes, by the *præmunientes* clause in the king’s writ, for the bishop, to save the time and trouble of assembling a synod, to issue at the same time another summons, (issued, as I have said before, by his episcopal authority) which constituted them, likewise, an ecclesiastical assembly; and further, he would sometimes even drop the formality of the summons: and the clergy, though assembled intentionally for civil purposes, by the king’s writ, might, at the same time, form a synod; and would consequently, without further trouble, transact civil and ecclesiastical matters at the same time.

I now proceed to my other position, which was, that “The church is no essential part of the english constitution.”

First, then, it will be necessary to distinguish between the original and fundamental principles of any particular constitution, and those laws, which are accidental and

^h Warburton.

ⁱ Wake’s State of the cl. and ch. of eng. c. 1. f. 12.

circumstantial,

circumstantial. By the former are meant such principles, as compose the essence of the constitution; which, therefore, cannot be changed without destroying it. The latter, depending on contingencies, may alter, without affecting the constitution, varying with times and seasons, and following the wants of society. Fundamental principles, therefore, are the original basis of a government; the other the materials, which compose the edifice; and are so far safe, and so far only, as they are supported by the basis: the former are the root, the latter the branches, which are then only natural, when they receive strength and nourishment from the parent root. These fundamental laws are to give a direction to the other laws; they form the civil constitution; and by their general pervading influence resemble, though by their unalterable nature they even surpass the written laws of our ancient usages, which, by being given to all in common, has been called the common law^k.

The following, then, are received as the fundamental maxims of the english law, which though mentioned before, it may not be amiss to repeat here. 1. The people have a right to a free enjoyment of life, liberty, and property. 2. A right to make those laws, by which they are governed. 3. A right to share in that power, which puts the laws in execution. To these I may be allowed to add the excellent maxim of good king Edward, which hath ever been deemed a fundamental in our law, That if any law or custom be contrary to the law of God, of nature, or of reason, it ought to be looked upon as null and void. And

^k *Mirroure*, ch. i. f. i. First called so by Edw. the Confessor, who abolished the three particular names of West Saxon law, the Mercian law, and the Dane law, and governed the whole kingdom by one law, called the common law. *Spelman*, on the anc. gov. of England.

though

though, in order to guard against the frowardness of private reason, our law is called “legal reason” (*quod est summa ratio*;) “because by many ages it has been fined and refined by an infinite number of grave and learned men, as Sir Edward Coke speaks¹: yet these fundamentals are always supposed to make part of this legal reason; so that we may apply to these fundamentals what the translator of the *Mirroure* says of the common law, “That when the laws of God and reason came into England, then came we^m.”

These principles may be ascertained and established by an historical investigation. From whence it will appear, that the constitution of England is of a genius very different from what some would have us believe; that a king of England is one that rules by lawⁿ, and that the laws of England are directed to the public interest, encouraged, and secured by these fundamentals.

The features of liberty, which marked the more advanced age of our constitution, discover themselves, some think, with greater simplicity, and greater strength in its infancy. Christianity, ancient writers^o inform us, was preached in this island during the apostolic age, and, if we may credit them, by the apostles themselves. The maxims and manners of the first preachers were copied from the *TEACHER OF TRUTH*, the great *EXEMPLAR OF MORALS*: they had no wealth to purchase disciples, no secular autho-

¹ Coke upon Littleton, l. 2. f. 138.

^m Pref. to the *Mirroure*.

ⁿ *Debet enim rex omnia facere, et per judicium procerum regni. Debet enim jus et justitia magis in regno regnare, quam voluntas prava.* Leg. Edw. Conf. Wilkins.

^o Gildas Badonicus, Gildas Albanicus, and Will. Malmesbur. &c. Vid. Concil. Brit. Spelmano edita. *De Exordio christianæ relig. in Britanniiis.*

rity, to enforce their instructions; but wholly intent on making men wise and good, they had neither power nor inclination, to deface their liberties.

We are, however, told, that the light of truth almost went out, after the death of those, who first kindled it. But Lucius, king of Britain, having received an honourable account of the christians at Rome, and in other countries, wrote to Eleutherius, (then bishop of Rome) requesting, that teachers might be sent into this island, to instruct his people in the christian faith. Accordingly, two preachers came into Britain; the king himself was baptized, and the people followed his example. How far christianity interwove itself with the civil government, I shall not inquire, nor can it, perhaps, be accurately ascertained. It is sufficient to observe, that from the time of Constantine, christianity was taken under the protection of the magistrate, and obtained a settlement in Britain. At length the Saxons got possession of the island, and destroyed many christian churches. The havoc, however, was by no means so general, or so violent, as some have supposed, though the greater part of the british christians retired into the mountainous parts of Wales and Cornwall ^P.

In the fifth century, Austin the monk appeared in Britain, being sent here by pope Gregory the great. The religion of this monk was of a domineering character. He had a commission "to bring all the priests into subjection ^Q." The bishops and clergy who retired on the

^P Bed. i. ff. c. 1. 2. See further, Millar's hist. view of the eng. gov. b. i. c. 5.

^Q *Tua ergo fraternitas non solum eos episcopos, quos ordinaverit, neque eos tantummodo, qui per Eboracensem Episcopum fuerint ordinati, sed etiam "omnes Britannie sacerdotes habeat, Domino Deo nostro Jesu Christo auctore, subiectos."* Gregorius Augustino Episcopo Anglorum. Spelmani Concil. Brit. p. 90, tom. i. ed. 1639.

approach of the Saxons, opposed his pretensions. But, being at length metropolitan of Britain, he assembled a synod on the confines of their country. They refused to obey the roman pontiff, on Austin's demand, and twelve hundred british monks were slaughtered, through his instrumentality^r. However, Athelbert, king of Kent, in the sixth century, having become his convert, monkery insinuated itself into the government: ordinances were made, "that men should worship their Creator, according to the points of the christian faith^s," and temporal lords and bishops became judges in the same court^t.

But "300 years before Austin sat his foot on english ground," Britons had among them the principles of liberty; and these fundamentals of the english government were also preserved, among the Saxons. In a famous council held by Athelstan, the saxon king thus pleads with the people, "Seeing I liberally allow you all things, that are your's by your law, that you in like manner may grant to me what is mine, &c."^u From which words, as Mr. Pen justly remarks, three things are observable; first, that something was "theirs," which nobody else could dispose of: secondly, that they had "property" by their own law, therefore had a share in making their own laws: thirdly, that the law was "umpire" between king and people^w. And the saxon kings took an oath at their entrance upon the government, "to maintain and rule according to the laws of the land."

^r Synodus Wigorniensis, in Concil. Brit. p. 106. tom. 1.

^s Mirrour, ch. 1. f. 3.

^t Reliq. Spelman. p. 53, 54.

^u Concil. celebre Gratel. &c. Concil. Brit. p. 308. tom. 1.

^w Pen's select works, vol. 3. England's present Interest considered.

A tender and sacred regard was preserved towards whatever related to life, liberty, and property. The Saxons had juries^{*}. Alfred put one of his judges to death, for pronouncing sentence, on a verdict, (corruptly procured) three of the jury being in the negative. Another of his judges suffered death, for passing sentence on a man upon an *ignoramus* returned by the jury: and a third also was condemned to die, for having passed sentence upon an inquest taken *ex officio*. Andrew Horne, indeed, tells us, that Alfred caused no less than forty-four justices to be hanged in one year, as murderous, for their false judgment[†].

It was a law of Alfred's, "That if a man should imprison his vassal or bondman, his purgation should not be less than the payment of ten shillings;" a sum exceeding ten pounds of modern money. Indeed, imprisonment was practised very little among the Saxons. "In a common prison," says Andrew Horne, "none ought to be put, if he be not attainted of an offence, that requireth death[‡]." And the same author tells us, that all unjust imprisonment was reckoned manslaughter: he also adds, "Into the offence of manslaughter fall all those, by whom a man dyeth in prison, and that may be, either by the judge, who delayeth to do justice, or by dureness of the keepers, or by other unjustifiable methods[§]." Debts, and damages, were recovered by receiving their equal value in goods, or else in money; and if payment was not then made, the land also was extended; and last of all, if full satisfaction

^{*} Nicholson. *Præf. ad leges anglo-sax.* Wilkin, p. 9, 10, 11. Spelman. *Gloss. Jurata.*

[†] Their names and crimes are preserved in the *Mirror*, ch. 5. f. 1.

[‡] Ch. 1. f. 9. p. 29.

[§] p. 30. ut sup.

was not made, the defendant's arms were seized, and he himself was thrown on the benevolence of his friends for support. But no person could be imprisoned for debt^b. The same tender regard was maintained towards property; and, indeed, "from the constitutions of the ancient kings" preserved in the aforesaid author of the *Mirroure*, a book written in Edward the first's reign, it is manifest, that they were directed to an impartial administration of justice, and a free enjoyment of property; and though some allowances will be made for the harsh terms of the tenures of those times^c, yet the great fundamentals of the english government were preserved.

Nor were those grounds and rules of british liberty destroyed by the norman duke; of whom it may be said, that as he rather altered, than created the military tenures, so he rather made some additions to the edifice, than removed the basis of our constitution. Indeed, the strength of the nation was not so exhausted at the battle of Hastings, that the people should have been eager to receive a conqueror on his own terms. They chose, as Milton expresses it, to accept of a king, rather than to be under a conqueror and tyrant. They accordingly swore to him to be his liegemen, and he swore to them at the altar, to carry himself towards them as a "good king ought to do, in all respects." He afterwards broke his word; when the english, tenacious of

^b *Mirroure*, ch. 5. f. 2.

^c Sir Henry Spelman, indeed, has written an elaborate treatise to shew, that feudal tenures were unknown in England till the conquest. On Feuds and Ten. Reliq. Spelman. It is, however, to be noted, that not only the term fees, or feuds, but the services also peculiar to tenures, occur throughout the *Mirroure*, c. 1. f. 3. And it is remarkable that Spelman never once takes notice of the *Mirroure*. What he says on this subject, is, I think, to be taken, as a learned antiquarian hath observed, cum salis granulo. *Nicholsoni Præf. ad leges anglo-sax.* Wilkins, p. 6.

their character, flew to arms : and the king was obliged to renew his oath on the holy evangelists, that he would govern them according to the ancient laws of England. If he, therefore, oppressed the nation afterwards, he did it, as Milton expresses it, by right of perjury, not of conquest. And, that he himself admitted this claim of english liberty, is apparent from these words at his death ; “ I appoint no man,” said he, “ to inherit the kingdom of England^d.” And, indeed, that very learned antiquarian, Sir H. Spelman, gives us a very different account of that proud title, conqueror, from what has been given us by many writers. “ William the first,” says he, “ was not called the conqueror, (conquestor) from subduing, but from acquiring England^e.” Nor should it be passed unnoticed, that William himself did not claim the crown by right of conquest, but by testamentary succession : though conquest, aided by the countenance of the pope, and the support of the english clergy, enabled him to consider his claim as better founded, and more firmly secured. The people were, therefore, left in possession of their ancient laws, and a right of trial by juries ; and in regard to property, in one of the first laws made in his reign, after holding forth, that “ the lands of the inhabitants of this kingdom were granted to them in inheritance of the king, and by the common council of the whole kingdom,” it is added, That they shall hold their lands and tenements well or quietly, and in peace, from all unjust tax or talliage^f.

^d At Caen in Normandy. Miltoni Def. pro pop. ang. Sidney's disc. on gov. ch. 3. f. 10.

^e Gulielmus I. qui a conquirendo, hoc est, acquirendo Angliam, non a subigendo, ut plerique censent, dictus est Conquestor, &c. Gloss. Arch. Parliamentum, p. 450.

^f Ll. Gulielm. 55. Wilkins.

So that these fundamental maxims of english law were provided for, in the norman settlement.

Notwithstanding, however, what I have said above, certain it is, that many gross particles were at this period forced into the political fabric. And though William might relinquish the claim of conquest, for one more safe and more honourable, and though the english law was certainly interwoven with the norman, and made a condition of sovereignty, yet some original notion of conquest seems to have been implied under it. William it was, who made feudal tenures general, and, agreeably to feudal language, became the PROPRIETARY, the LORD paramount of all the property in England^g. The whole nation held under him by services, which implied some original claim in him, and the forms of legal procedure, some of which still remain, breathe a language, inconsistent with the full claims of liberty. If it be said, they are mere forms, it must also be said, that forms imply principles. The most material point to be considered, is, that the establishment of the saxon laws was made a condition in the government, though in terms, it must be confessed, somewhat degrading^h. Milton, and other political writers, have been too backward in making these acknowledgments.

The title and character of lord paramount were not a little flattering to king John; who, presuming on them, ventured to concede the whole kingdom to the pope. He was, however, forced from his encroachment by his barons, and brought back to the ancient standard at the famous congress at Runningmede. On the articles of agreement there formed, the great charter of England was founded; which was amended in the infancy of Henry the third, and, after

^g Spelmanni Gloss.

^h Ll. Anglo-sax. Wilkins.

having escaped many dangers, received the support of his maturer age: till, at length it found a final establishment in the reign of Edward the first. And so expressive of the genuine principles of the english constitution, and so essential to the happiness of their posterity, was this venerable charter deemed by our ancestors, that it has been ratified by no less than thirty-two acts of parliament¹.

These fundamentals are the basis of the great charter itself: and in the same manner, as the latter existed, prior to "the declaration of rights," so these grounds of british law were laid, antecedent to the establishment of magna charta itself. And of these fundamentals and their subsequent enlargement at Runnymede, it may, without offering violence to truth, be said, that they respect not articles of faith, nor forms of worship, but civil privileges only; and that the liberties of the church are no further concerned in either than as they respect their temporalities².

From what has been said, it will follow, that these fundamentals of english law cannot constitutionally be removed. Not by the king in his single capacity: for, as he receives his crown under a stipulation, to rule by the laws of the land, so, neither can he, individually, enact a new law. Not by the clergy, in their ecclesiastical capacity: for, as they act by delegation from the crown, their power cannot exceed their commission; and a power which the crown possesses not itself, it cannot give in trust to others. And further still, not even by the parliament, in their legislative capacity: for, notwithstanding what is said of the transcendent and absolute powers, of the "omnipotence" of parliament, "of its making and unmaking law," and the like, yet a constitution is even here supposed. For though

¹ Blackstone's introd. to mag. char. Law Tracts.

² England's present interest considered. Pen's select works, vol. 3.

subsequent statutes may repeal preceding statutes, yet where a constitution really exists, though a nation may destroy it, yet a parliament cannot^l. The powers of parliament are but a trust. But, the rights, about which these fundamentals are concerned, are, in their very nature, absolute and inalienable. For, as the supreme power can take no part of the people's property, without their consent, so there are some parts^m, which even the people themselves cannot give in trust to a certain degree. Life, and liberty, if I may so speak, are nature's great property, which THE BEING, under whom we hold, gives us not leave to aliene. Indeed, the real designs of constitutions have the same relation to subsequent declarations by legislative acts, which the fundamental maxims of the law of nature have to laws in general, that is, they are their rules and grounds. I here suppose we have a constitution.

Judge Blackstone, certainly, appears to me to have spoken too generally in saying, the parliament can change and create anew, the constitution of the kingdom. It may do many things, indeed, which are "beyond the usual course of the law, it may regulate and new model the succession to the crown; it may alter the established religion; it may change the present forms of administration; it may, I venture to say, destroy monarchy: but for the reasons signed above, it cannot remove those fundamental maxims, or first principles, and, therefore, what he adds afterwards, is liable to objection. "It can, in

^l See Mr. Paine's Rights of Man, Part second.

^m By the term property here, and in some other places, the reader will observe, I do not mean simply estate, but apply it in the more general sense. For property will respect life, reputation, estate, liberty, and conscience; in short, whatever is justly and properly my own. In this sense Mr. Locke frequently uses the term.

short, do every thing," says he, "that is not naturally impossible." It is naturally possible for it to establish slavery into law: and suppose the legislature itself to be so corrupt (and what hath happened may happen again) as to enact any thing contrary to the first principles of liberty. The learned writer tells us, that what they do, "no power on earth can undo". Here then appears the great defect in english politics. We have no reserved force in the community, no grand council representative of the nation to keep the servants of the nation (I speak not of the servants of the king) to their engagements; an assembly I mean not to make laws, but to inspect and punish legislators. The Saxons had something like such an assembly, as have also one or two of the american states. For want of it, governments have but two resources in emergencies, either the CALL of the NATION, or the APPEAL to HEAVEN.

However, it is on these principles, that "When the legislative shall transgress the fundamental rule of society; and either by ambition, fear, folly, or corruption, endeavour to grasp themselves, to put into the hands of any others an absolute power over the lives, liberty, and estates, of the people, by this breach of trust, they forfeit the power the people put into their hands, for quite contrary ends, and it devolves to the people".

And it is clear, that this is the judgment of the legislature itself, as might be shewn by some acts of parliament, which have repealed others, on this ground, that the repealed statutes were illegal. Not to mention others, there was a statute enacted in the 11th of Henry

ⁿ Comment. vol. 1. c. 2. p. 156. 4to edit.

^o Locke on Gov. b. 2. ch. 19. § 222.

the VIIth, cap. 3. which was contrary to the free customs of this country, in the important article of juries. “Of which oppression, as Mr. Pen expresses it, Empson and Dudley were the great actors; but they were hanged for their pains, and that illegal statute repealed in the first of Henry the VIIth, c. 6.”

The consequence is plain, as the same ingenious and excellent person observes; “Fundamentals give rule to acts of parliament: else, Why was the statute of the 8 Edw. IV. ch. 2. “of liveries and informations, by the discretion of the judges, to stand as an original, and this of the 11th of Henry the VIIth, repealed as illegal? For therefore any thing is unlawful, because it transgresseth a law. But what law can an act of parliament transgress, but that which is fundamental? Therefore, trials by juries, or lawful judgment of equals, is by acts of parliament confessed to be a fundamental part of our government ^p.” The same remark will apply to the other two great principles of english liberty.

^p England's pref. interest considered. See further Blackstone's Commentaries, vol. 1. Introd. p. 98. 4to. edit.

CHAP. VI.

THE SAME SUBJECT CONTINUED.

THE CHURCH IS NO ESSENTIAL PART OF THE ENGLISH
CONSTITUTION.

HERE then I pause, and take the liberty of asking, Is the church of England an essential part of the english constitution?

“ British civil constitution is a phrase, expressive first, of a natural constitution of rights, native and inherent in the inhabitants of this kingdom, and in all mankind: next, of a body of laws, peculiar to this kingdom, declaratory of these natural rights: and lastly, of a form of making and executing these laws by king, lords, and commons.”

From what has been said, it is obvious, that the preceding paragraph must be received with many degrees of limitation. For either we must say, that the british civil constitution is a mere theory, or that, though it is expressive of rights native and inherent in all mankind, it is expressive of what the inhabitants of this kingdom, at least, do not enjoy. The body of laws, therefore, will be proportionably defective. It should rather be said, the british civil constitution is expressive of those rights, to which all mankind have a natural claim, but which a part of the community only enjoy; next, of a body of laws, which that part have framed, and lastly, of a form of making

* Robinson's political catechism, p. 38.

and executing those laws by an aristocratical body called, king, lords, and commons. For where the representation is so incomplete, (to say nothing of the power of influence) a government, by whatever name it is called, is an aristocracy. The fundamental maxims, however, are good; then defect is, that they do not exert themselves, and never did, from the coming of the Saxons to the present day, for the community. But, in a way of argument, they answer every purpose of this inquiry.

Now, as the fundamental maxims of english government are expressive of that constitution of rights inherent in all mankind, is it not clear, they stand independent of the church of England, so called? For as the natural rights of mankind are antecedent to any particular regimen of religion, so were the fundamental maxims of english government to the establishment of christianity among us. Our ancestors, before they were episcopalians, were papists; before they were papists, were christians; and, even before they were christians, were Britons. The church of England, therefore, makes no part of the original institution of this country.

Next, constitution is expressive of a body of laws which, though defective, in proportion to the defect of representation, are, however, peculiar to this kingdom. It is evident, then, that this body of laws stands independent of the church of England, for the same reasons as fundamental maxims do. For had we not english law, before we had an episcopal church? To speak my mind freely, I incline to think that the church is a great interruption to this part of the constitution. Have not Britons civil laws, and do they want the aid of ecclesiastical canons? Have they not courts of law and equity, and could they not administer justice without spiritual courts? Do we not boast,
that

that the natural rights of Britons are favoured by the common law of the land? But have not the laws, made in favour of the church, been oppressive to the liberties of the nation? Suppose the church removed, Would there be so much of that partiality, which marks the character, and is the disgrace of our government? The church of England, therefore, is not essential to this part of our constitution.

Lastly, British constitution is expressive of a form of making and executing those laws by king, lords, and commons. Now, Is it not certain, that these, also, existed before the church of England was in being? Can it, therefore, be essential to this part of the constitution? And I have already shewn, that the principles of government introduced by prelacy, are very different from the maxims of our civil government.

When the cruel and haughty monk, Austyn, commonly called the apostle of England, summoned the british bishops to attend his synod, the abbot of Bangor advised them, “ if he was a man of God, to follow his directions.” “ And how,” continued the honest bishops, “ shall we prove this?” The abbot replied, “ If he is meek and lowly of heart, it is probable, that as he has taken up the yoke of Christ himself, he will also assist you to bear it.” But if he be severe and proud, it will be evident, that he comes not from God, and that his words ought not to be regarded by us^b.” Thus, in behalf of the english constitution, I say, If prelacy has taught our princes mercy, our nobility condescension, and the representatives of the people justice, and love of independence, then let Britons be assured, that the church of England, naturally enough assorts with that part of our

^b Synod. Wigorn. Spelmanni Concil. Brit. p. 105. torn. 1.

constitution, which professes to secure those invaluable blessings, without which, a nation cannot possess freedom, nor experience prosperity, nor enjoy happiness. If, on the other hand, it has made our princes intolerant, our nobles severe and haughty, and the representatives of the people susceptible of corruption, and regardless, in many instances, of the interest of their constituents, then, let Britons be assured, that the church of England is no essential part of her constitution; but is to be considered as a disease, which sullies her complexion, and impairs her health.

But, in order to make a fair judgment of the weight of the church of England in the constitution, it will be necessary to consider what is called our constitution in church and state: which union of ecclesiastical and civil matters, as it gave birth to the old doctrine of “no bishop, no king,” so also does it still give authority to principles, which favour the system, though the doctrine itself is now unpopular. A church established by law, and making part of legal administration; a church in alliance with the state, **APPLYING ITS UTMOST INFLUENCE IN THE SERVICE OF THE STATE**; and in reward of its services, **SUPPORTED AND PROTECTED** by it^c; a church of which the principal executive magistrate is declared the supreme Head; a church, which has poured into its bosom, not only its own peculiar temporalities, but all the civil offices of this country; a church, whose form and doctrine have been reckoned such essential conditions of the act of union between England and Scotland, that an alteration of them would endanger the union^d; a church, I say, so authorized, secured, benefited, and important, may easily enough

^c Alliance, b. 2. ch. 3.

^d Blackstone's Comment. vol. 1. p. 98. 4to ed.

have beguiled people into the notion, that church and state were inseparably united; "like two stately pillars, rising, indeed, from different foundations, but bending towards each other, as they rise, and meeting in the centre ^e."

It is true, the church of England is established, and makes a part of legal administration. But it will be recollected, that the church of Rome was in possession of this argument before the church of England. And, indeed, the former had this advantage of the latter, that part of the great charter was spent in behalf of its liberties, and privileges, yet, notwithstanding the sacred regard possessed by our ancestors for that charter, the privileges of the clergy were broken in upon, and actually surrendered to Henry the VIIIth. The truth was this, as Mr. Pen justly observes, "those parts that were abrogable or abrogated in the great charter, were never a part of the fundamentals, but hedged in by the clergy, and allowed by the barons upon present emergency ^f." This remark of that ingenious writer will apply to the present church, by law established. It is hedged in to serve a present purpose. And, whenever the nation shall find, it can do better without its services, there is nothing in our constitution to render the union immutable. The church, therefore, is not essential to the constitution, because it is established by law.

Indeed, there is this difference between the two churches; that the former assumed an independent authority, and even challenged the subjection of the civil magistrate. Whereas, when the pontiff retired, the prince advanced, it is said, to his proper place. The latter of these assertions, though made by very eminent churchmen, I must

^e Rotheram's Essay on Establishments.

^f England's Present Interest considered. By Mr. Pen.

be allowed to say, is not strictly true. For neither did christian emperors, nor the kings of England, assume the title, or exercise the whole powers of "the supreme head." These were both derived from the forfeited claims of the roman pontiff. But, if the power challenged by the pope, was therefore considered unconstitutional, as being an encroachment on the authority of the prince, and the ancient rights of the people, this argument will extend still further. For, Does not the church of England actually lie exposed to the same censure? Have not the great fundamentals of english law been removed in favour of her unjust pretensions? Have not the lives, liberties, and estates of many virtuous citizens been sacrificed at her shrine? And, Is not the sovereign himself so hedged in by the church, as to be incapable of rewarding the services of some of the best friends to just government? Here it is, indeed, the english government defeats its own principles, and renders itself ridiculous. The prince bows to the priest, and the NATION is the tool of a party. How long, how long will Britons endure such absurdities?—Partial, however, as our government is, its professed design is to promote justice. And, indeed, this was the language of the legislature itself, in the act of granting a toleration to dissenters; for it went upon this principle, that the former claims of the church were exorbitant and unjust, and the laws, which made nonconformity a crime, were accordingly repealed. On this principle too their cause was pleaded so admirably by a very great lawyer²; and on the same ground, their reasonable requests have

² Lord Mansfield's speech in the house of lords, in the case of the Chamberlain of London, against Allen Evans, Esq. at the end of Dr. Furneaux's Letters to Judge Blackstone. 2d edit. p. 278.

been, since, still further urged by some excellent speakers in the house of commons.

The union between England and Scotland is, now, considered an important part of the constitution of this country. Our church establishment is, also, supposed to be in close connection with this union; so as, indeed, to be rendered of a nature almost immutable, lest the union itself should be endangered^b. What are, then, the express terms of it?

In the act of union there is recited an act of the scotch parliament, enacted for the security of the protestant religion, and presbyterian discipline in Scotland, “ By which her majesty, (queen Anne) with the advice, &c. doth thereby establish and confirm the said true protestant religion, and the worship, discipline, and government, of this church, to continue without any alteration to the people of this land, to all succeeding generations,” &c. and the fifth act of the first parliament of king William and queen Mary, ratifying the confession of faith, &c. of the church of Scotland, is also confirmed.

There is also inserted in the act of union another act, securing, in like manner, the established religion in England; by which it is enacted, “ that an act passed in the 13th year of the reign of queen Elizabeth, of famous memory, entitled, an act for the ministers of the church of England to be of sound religion; and also another act made in the 13th year of the late king Charles the second, entitled an act for the uniformity of public prayers and administration of sacraments, and other rites and ceremonies, and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons, in the church

^b Blackstone's Comment. vol. 1. p. 98. 4to edit.

of England, (other than such clauses in the said acts, or either of them, as have been repealed by any subsequent act or acts of parliament,) and all and singular other acts of parliament now in force, for the establishment and preservation of the church of England, and the doctrine, worship, discipline, and government thereof shall remain, and be in full force for ever." And every king of Great Britain, on his accession to the crown, takes an oath at his coronation "to maintain and preserve inviolably the afore-said settlement both in Scotland and England."

Now as the two acts, inserted in the act of union are two separate acts, made in favour of the two societies, before the union; and as the origin of them proceeded from dangers which one church apprehended from the encroachments of the other, it is evident, they are recited to remove those apprehensions, and as a security against mutual encroachments. So that the two churches, at the time of uniting were in a state of independence on each other, already in possession of mutual privileges. Their end, therefore, in uniting, was not on the one hand to form a "*fœdus inæquale*," that is, to give one a pre-eminence over the other, nor, on the other, to make an incorporate union; this would have made the two churches coalesce into one. It was strictly "*fœdus æquale*," that is, an equal alliance, by which each church or nation retained its peculiar privileges, but guarded against the others encroachments.

Now as the learned commentator on the laws of England has frequently admitted, that the parliament may alter the established religion; the forms and doctrines of either church may be changed, with its own consent, without endangering the union. For the parliament, in the present case, is agent or guardian for the two churches.

The two nations, therefore, and not the two parliaments, being the contracting parties, and the parliament executing either an express or an implied trustⁱ, either nation might alter its own church, without trespassing on the liberties of the other: being capable, constitutionally, of receding from that part of the stipulation made in its own favour, (agreeably to the nature of all pacts conventa; or treaty unions;) though even proclaimed to be immutable^k.

And, indeed, since the union, two acts of the scotch parliament, have been either altered or repealed, by an act of parliament in England, and yet the union itself not affected. The acts alluded to, were, one which exposed persons excommunicated by the church judicatories in Scotland to civil pains and disabilities; the other, entitled, “an act against irregular baptisms, and marriages:” in consequence of which english act of parliament, the episcopal dissenters received a complete toleration in Scotland, and were admitted to a free participation of all civil and military offices.

And further still, the act of union hath actually been violated, and yet the union not thereby dissolved. I allude to the act of patronage, which took the right of presentation from the “heretors and elders of the respective parishes,” and actually restored them to the patrons of the livings; which I will be free to call a most considerable infringement on the act of union, and an important advance on the province of a church. For a right of patronage to livings appears to me next in importance to that of making ministers to occupy them. Now, I say, this act must be considered as a violation of the act

ⁱ See Furneaux's Letters to Judge Blackstone, let. 3. p. 149. 2d edit.

^k 12 Anne, cap. 7.

of union; for it is well known the act of patronage passed against the prevailing wishes of the scotch nation¹. Yet even this act has not endangered the union.

Reasonings, similar to these, may be applied even to the coronation oath itself; by which every king of great Britain, on his accession to the crown, is bound to maintain and preserve inviolably, the established religion.

And, as the present forms and doctrines of our establishment, so, also, its very genius, might be altered; without any encroachment on the union, or injury to the constitution. Indeed, an alteration or removal of the establishment, would tend to remove some gross defects from our civil institutions. On the ground of political expedience, it is, certainly, a very defective and partial system: and it must be a strange degree of prejudice, which could incline a christian and an Englishman to call it, the most perfect of all christian establishments^m. Nay, I will venture to add, that the alliance between church and state of England, might be entirely dissolved, and yet the union between England and Scotland kept sacred and inviolate: the laws which relate to the church are so many acts of parliament, which are not derogatory from the power of subsequent parliaments.

And, however distant the period, and however fashionable it may be to treat those, as visionaries, who are looking towards it; fully persuaded I am, that such a dissolution must take place. For though I am not so blind, on the one hand, as not to perceive, that our present establishment is a blessing, as a deliverance from papal tyranny, neither am I, on the other, so inattentive to its evils, as not to believe, there is a strength in the british consti-

¹ See Furneaux, *ut sup.*

^m Alliance, b. 2. ch. 4.

tution, which, when collected, will throw off the mighty incumbrance; a revolution, which will give this island, called by an ancient poet, for its fertility, “the seat of Ceresⁿ,” a title also, for its mildness, justice, and liberality, to the beautiful character given it by our great antiquarian, “The masterpiece of nature, performed when she was in her best and gayest humour^p.”

The means, by which the great improvement (for such, without scruple, I call it) will be brought about, are in the secrets of providence: but I will avow, to borrow the words of an ingenious person, (and here I speak the genuine language of my heart) “that if I had the whole episcopal church, yea, the whole papal community, as much at my disposal, as the most absolute tyrant ever had his slaves, I would not deprive them by force of one article of faith, or one ceremony of worship. I would only oblige them to separate religion from civil and secular affairs^p.”

Nor let such a notion be reckoned absurd, or extravagant. Thus christianity stood in the early ages. Modest and unassuming in its pretensions, it affected no pre-eminence, but what truth and virtue gave it: and at the same time, though not meanly subservient to the vices of governors, yet important and useful to government, by the holy doctrines, which it taught, and the spirit of subjection, which it inculcated. Thus, I say, it stood, till Constantine, in the fourth century, took it, as he thought,

ⁿ ———— ἡ εὐχὴ δωματ' ἀνυσσῶς

Δημητρὸς. ————

^p Camden Introduction to his Britannia.

^p Robinson's Plan of Lectures on the Principles of Nonconformity. Pref. to the 5th edit. p. 23.

from obscurity, to give it place and rank in the political system.

Nor do I think it improbable, that christianity existed unentangled with civil government, even in that part of this island, that was over-run with faxon superstitions. For it is not likely, that a religion of so penetrating a nature, on its retreat to the west, should have left no trace behind. Nor need the partial testimonies of the monkish historians surprise us, ever zealous to exaggerate the important services of the roman pontiff, and to give authority to the mission of the apostle of England. Beda tells us, that Bertha, the wife of king Ethelbert, was a christian. It is not improbable, therefore, that there were others of the same persuasion¹, even before Austin arrived, who came, indeed, soon after this period.

Such, too, was the situation of those christians, who retired into the western parts of the island from the faxon invasions, and the northern parts, where the Saxons never entered.

The following is translated from an ancient british manuscript by Sir Henry Spelman. It is the answer of the brave abbot of Bangor to the haughty demand of the apostle of England,

¹ *Erat autem prope ipsam civitatem ad orientem ecclesia in honorem sancti Martini antiquitus facta, dum adhuc Romani Britanniam incoherent, in qua regina, quam Christianam fuisse prædiximus, orare consueverat. Beda. lib. 1. cap. 26.*

Speaking before of Ethelbert, the same historian adds: *Nam et antea fama ad eum Christianæ religionis pervenerat, utpote quod et uxorem habebat Christianam de gente Francorum regia, nomine Bertham, quam ea conditione a parentibus acceperat, ut rituum fidei ac religionis suæ cum Episcopo, quem ei adiutorem fidei dederant nomine Luidhardum, inviolatam servare licentiam haberet. l. 1. c. 26.*

See further on this subject, Millar's hist. view of the eng. gov. p. 1. c. 5. p. 105, 106. &c,

“ Be it known, and without doubt unto you, that we all are, and every one of us, obedient and subject to the church of God, and to the pope of Rome, and to every godly christian, to love every one in his degree, in perfect charity; and to help every one of them by word and deed to be children of God. And other obedience than this I do not know, due to him, whom you name to be pope, nor to be the father of fathers, to be claimed, and to be demanded; and this obedience, we are ready to give and to pay to him and to every christian continually. Besides, we are under the government of the bishop of Caerleon upon us, who is to oversee, under God, over us^s, to cause us to keep the way spiritual.”

Sir H. Spelman, after informing his reader, from what ancient manuscript this was translated (which manuscript he adds, was undoubtedly an imitation of one more ancient) makes the following reflections.

“ The abbot of Bangor, who gave this answer to Austin, was, without doubt, that very famous Dionuthus, of whom we made mention in the last note. It is also manifest, both from this answer of his, and from what was related before by Beda himself, that the british church acknowledged at this time no subjection, either to the roman pontiff himself, or to any other foreign patriarch, nor cultivated any communion with the roman church. But it was subject, as it had been from the age of Eleutherius, to its own metropolitan (as to a pope or patriarch of another world) the archbishop of Caerleon; who, as is here suggested, acknowledged no superior in the degrees of the church: but yn a ligwr dan Daw, that is, “ under God, without any intermediate authority” governed the

^s The same distinction by which the act of supremacy is guarded.

people and church committed to him, and practised the eastern and african rites, rather than the roman. Nor did this proceed from any schismatic perverseness, (which the authors of that age would have undoubtedly censured) nor against the institutions of the holy fathers, confirmed by the authority of the third œcumenic synod held at Ephesus, in the year of our Lord 431¹."

CHAP. VII.

REMARKS ON MR. HOOKER'S ECCLESIASTICAL POLITY,
AND BISHOP WARBURTON'S ALLIANCE BETWEEN
CHURCH AND STATE.

IN making a few free remarks on the "judicious Hooker," who possessed more wisdom, humility^a, and candour, than a host of those, who have retailed his writings, it is not necessary to suppose, I must be influenced either by malevolence or vanity. I do not think myself authorised to adopt the language of the illustrious Montesquieu, "And I also am a painter^b." I affect not to raise a structure, in opposition to the goodly fabric of "ecclesiastical polity," or to embellish the inward parts. The only title I claim, is, that of "formarum spectator:" and shall think it no breach of modesty to say, Here the building wanted proportion, and, There the foundation was not strong.

¹ Spelmanni Concil. Brit. p. 109, 110. tom. I.

^a See particularly, books 1. and 2. of the Ecclesiastical Polity, sub finem.

^b Et moi aussi je suis peintre, ai-je dit avec le Corregge. de l'esp. des loix. Préf.

"Laws,

"Laws," says the latter of these great men, "are the necessary relations, resulting from the nature of things^c." There is something of that metaphysic abstruseness in this definition, which is not uncommon in the writings of Montesquieu, nor does it lead to the conclusion which he intended. If, however, it be considered in reference to those invariable relations, which different bodies bear to each other, or the effects of those objects in their various applications, the definition becomes simple^d, and may be applied to laws in general: and as all laws vary according to the different objects to which they relate, it will follow, that human laws should vary according to the different forms of government, about which they are concerned. It may also be added, that the restraining force, or the penalties enforcing laws, should vary in proportion. Rewards and punishments should be regulated by the prevailing bias of a government,

The same observations, which have been found just, on comparing together different schemes of civil government, will be found to apply, also, to the different circumstances of civil and ecclesiastical government.

Ideas of this kind did not escape the penetrating genius of Hooker in his admired first book of ecclesiastical polity. "One kind of law," says he, "cannot serve all kind of regimen:" what I complain of, is, that the system, which he undertook to defend, contradicts his fundamental maxim.

"Laws," says Hooker, "not only teach what is good, but they enjoin it: they have in them a certain constraining force^e." And again, "Laws do not take their con-

^c De l'Esp. des Loix. l. i. c. i.

^d See Lectures on Polit. Principles, by an ingenious writer, the Rev. David Williams.

^e Book i. § 16. p. 19. 1723.

straining force from the quality of those, who devise them, but from that power, which doth give them the strength of law^f." And that, wherever it is lodged, is the supreme power. It is, therefore, part of this system, that the supreme power may establish speculative opinions of religion, forms of public worship, and plans of ecclesiastical discipline; and, as laws imply a constraining force, religion, consequently, is enforced by civil penalties. I have nothing to do here, with rites and ceremonies, or even christianity. But I affirm, that Mr. Hooker's system opposes this fundamental maxim of all government, "Laws are the necessary relations resulting from the nature of things."

Bishop Warburton has stepped into the support of this system, by acknowledging, indeed, that the province of the civil magistrate is not properly the care of souls, but of bodies; and, consequently, that he has no right to interfere with religion, (with an exception to the three fundamental maxims of natural religion) as a matter of TRUTH, but of utility; and that if it concern itself with TRUTH, it is only incidentally, by virtue of the ALLIANCE. This was an ingenious device. The only misfortune was, that bishop Warburton's system went one way, and FACTS went another. For, Who does not know, that truth, was the great point, towards which the genius of legislators was directed in the sixteenth century, and encouraged christian states to unite in HARMONIES, and CONFESSIONS of FAITH? Equally ingenious was the distinction, between PUNISHMENTS and RESTRAINTS. It is, as if the law should say, I do not harraß you, as one, who hath, actually, committed murder; but as one, who may, pro-

^f Ut sup.

bably, pull down the steeple. Will a sufferer perceive the distinction?

Facts, too, are not much more favourable to the notion of the learned archdeacon of Carlisle, who tells us, the intention of the legislature in imposing subscription to articles, was merely to exclude from the government the PAPIST, the ANABAPTIST, and the PURITAN^s. Why, then, were free-willers harassed? And why were arians and socinians put to death?

Mr. Hooker's system, which allows civil magistracy the power "of making laws, yea laws concerning the most SPIRITUAL affairs of the church^b," leaves the objection, which I have started, in all its force.

This fundamental error in the "ecclesiastical polity" consists in confounding the nature of law. The next is connected with this, and relates to the administration of law; assigning to those called "the laity" ecclesiastical jurisdiction, and to those called "spiritual men," a jurisdiction properly civil.

Were this the proper place, I would observe, that Mr. Hooker in marking out the limits of the spiritual jurisdiction of the church, hath assigned it, I think, too extensive and awful a province. I should hold myself bound to stand aloof from every society in the universe, sooner than bow to a SPIRITUAL TRIBUNAL^c; I would humble myself in solitude and silence before the GREAT BEING; I would seek forgiveness and consolation from my Maker in the pathless waste. But I must not enter on remarks of this kind.

^a See Paley's Principles of moral and political Philosophy, b. 3. ch. 22. p. 215. 7th edit. On Subscription to Articles.

^b Book the 8th. Of the Authority of making Laws, p. 428. 1723.

^c Book 6th.

But,

But, Does there not arise a strange confusion of characters, on supposing a prisoner put to the bar, and on hearing a civil judge gravely ask, Are there three hypostases in the divine nature, or one? And on hearing a SPIRITUAL man say, Let the prisoner be taken to Newgate?

Mr. Hooker has passed high encomiums on those “reverend, religious, and sacred consultations, which are termed general councils.” But Hooker was too good a man, not to distinguish the times and practices of the primitive christians, from those, “when pride, ambition, and tyranny began, by factious and vile endeavours, to abuse that divine intention unto the furtherance of wicked practices^k.”

This distinction was not made without reason. For, were I disposed to exhibit all the human passions of the vicious kind, in their full growth; were I inclined to afford infidels a smile; to cover with shame the face of the christian world, and to stamp eternal infamy on the christian name, I would only wish the attention of nations called to the proceedings of the four first general councils: I would only wish to have read aloud to mankind HIS epistle to the churches, who first established christianity by law; beginning with a determination “to preserve one faith, and sincere charity in the catholic church,” and ending with an order, “that if any persons should be found to conceal any book written by Arius, and should not burn it, he himself should be put to death^l.”

From what source have the most violent evils flowed in upon christendom? From a perversion of this text, “If

^k Book i. 10.

^l Epist. Constantini Magni, de unanimi Paschatis Observatione. Ex Nicopher. lib. 8. c. 25. Spelman.

he neglect to hear the church, let him be unto thee, as an heathen man and publican." Hence, saints got into the judgment seat, but princes were first to determine who were saints. Jesus taught good politics, as well as good morality. Who made me a ruler or a JUDGE?

HITHERTO I have considered the NATURE, and the ADMINISTRATION of laws. It remains, to consider the AUTHORITY, that makes them.

All free states are governed by their OWN laws. Mr. Hooker, than whom few better understood the nature of civil government, necessarily admitting this fundamental maxim, was, therefore, obliged to maintain, "that the church and commonwealth are not too independent societies; that the church of England, and the people of England, are the same body; there not being any man of the church of England, but the same man is also a member of the commonwealth; nor any member of the commonwealth, which is not also of the church of England^m." These remarks prepare the way for what he says afterwards, "Our laws made concerning religion, do take originally their essence from the power of the whole realm and church of England."

That the church and commonwealth are not two independent societies, is certainly true, notwithstanding all the flourishing assertions of bishop Warburton: and yet, that the church, properly so called, makes no part of the legislative, I have already shewn.

But if this position, "the church of England, and the people of England" are the same people, is accurate, methinks it was somewhat curious to see one, or two bishops at most, acting under the authority of a good and sensible little

^m Eccles. Pol. b. 8. p. 407.

boy^a, “DEVISING” at least, what was to bind the whole nation; and king James, actually “GIVING his canons the FORCE of LAW.”

But is the position itself accurate? “It may be remembered, then, that at first, the greatest part of the learned in the land were either eagerly affected, or favourably inclined the other way^c.” And were the judgment of the most learned men in the land to be now taken, respecting the forms, the doctrine, and the discipline of the church, what would be their judgment? I suppose preferments out of the question. It would not be for “THE DISCIPLINE.” True. But, Would it be for the present forms, and doctrines, and discipline of the church?

But further, no sooner was our present regimen denominated the church of England, than some of the people of England dissented from it. The position, therefore, was far from being strictly true, when Mr. Hooker wrote. And it is, certainly, less so now. If this were the case, there should not be a jew, a catholic, or a dissenter in the land. But, happily for the british government, there are many of all descriptions. Dissenters are very numerous: and, as they now have a title in law^d, it would not be accurate to say, the church of England and the people of England are the same people. Making, however, some allowances for the too high powers, which Mr. Hooker assigns to the supremacy, this system maintains, “the parliament of England hath competent authority to define and determine the churches affairs^e.”

^a Edward the 6th.

^c George Cranmer's Letter to Mr. Hooker, affixed to Hooker's Life.

^d Furneaux's Letters to Judge Blackstone. Letter 1. And Lord Mansfield's Speech in the house of lords, at the end.

^e Eccles. Pol. b. 8.

To which I think it sufficient to reply, the legislature, whose laws protect all men in their religious liberties, has done its duty, and consulted its own safety.

But the laws, which the legislature have framed relative to religion, are about matters indifferent^r. This reflection is not quite consistent with what Mr. Hooker says elsewhere. But not to insist on this, I reply, Let these matters then be left indifferent; dont make LAWS about them.

But WISE MEN are more likely to place indifferent matters in their proper place. Perhaps not. And for this reason, Because they are wise men. For wise men err, when they make their own capacities a standard for the people. The people are then over-rated. Wise men also err, when they treat the people as the vulgar. They are sure then to be under-rated.

But, How are the people then capable of adjusting these indifferent things? Since Mr. Hooker wrote, at the very time I am writing, the people have given proof, that they are capable of doing it. Shew me a society, assembled under this conviction, that the deity ought to be worshipped, and I will shew you one capable of finding out, how he ought to be worshipped.

I have nothing to do here with the questions respecting laws changeable, and unchangeable^s, lay-elders, and bishops^t, the subordinate headship of the kings of England, and the supreme headship of the christian legislator^u. I only search for what is conformable to the welfare of society, and of the english government.

These remarks, therefore, relate to the principles, on which the system of ecclesiastical polity is raised: and from

^r Book 3.^t b. 6.^u b. 7.^u b. 8.

the following considerations I incline to think, I am not very wide of the truth. Mr. Locke was a great admirer of Hooker: and those who have read the *Essays on ecclesiastical polity*, and civil government, will recollect, that many liberal maxims of Mr. Hooker's are adopted by Mr. Locke, and are, indeed, interwoven in the texture of his argument. The judicious churchman is frequently quoted, as authority, by the incomparable politician. And the latter has given us one of the best treatises on civil government, that had then been presented to the world.

But consider the same Locke on a subject nearly akin to the ecclesiastical polity; I allude to his letters on toleration. Did ever two performances differ more in their conclusions than these celebrated productions? One confounds things, which ought to have been kept distinct: the other keeps the distinction accurate and clear. Hooker was an excellent man, but engaged in the service of a system, which he defended, I doubt not, from conviction. The immortal Locke had no system. He was not a divine; but an inquirer after truth^w.

Mr. Hooker was both a divine and a politician: bishop Warburton was a mere politician: and if self-sufficiency and arrogance tarnish the lustre of characters, the latter is not entitled to that respect, which candour delights to pay the former amidst all his mistakes. This praise, however, is due to the system of ALLIANCE, that, in laying claim to the principles of liberty, it impeaches the credit of ECCLESIASTICAL POLITY. I, also, am, here, a mere

^w *Primo homines, ut tuto ac libere sine vi atque injuriis vitam agerent, convenire in CIVITATEM, ut sancte et religiose, in ECCLESIAM: illa leges, hæc disciplinam habet suam, plane DIVERSAM. Hinc toto orbe Christiano per tot annos bellum ex bello feritur, quod MAGISTRATUS et ECCLESIA inter se OFFICIA confundunt.* Miltoni *Def. pro pop. Angl. Pref.*

politician; and as two politicians seldom agree, I shall expose a few of the manœuvres of my brother of the craft, without any ceremony.

I SAY then, that the notion of the church's INDEPENDENCE is built on a weak foundation, and that the ALLIANCE is a "mere fiction." That "christianity is perfectly free, and independent of the state^x," is granted. But that the church of England hath, or ought to have, such an independence, as the author of the alliance contends for, will be denied.

For, let it be observed, that at the very time the roman pontiff exercised supremacy over England, the state had a right to authority over all persons, a claim antecedent to any ecclesiastical concessions; a claim rising out of that principle by which all civil institutions were originally cemented. And as to the church's resigning "the first great branch" of her independence, "that no ecclesiastic of the established church should exercise his function without the magistrate's approbation and allowance^y," this was, surely, no such instance of christian humility. For, What was it, but to give the state, what it had a right to before? The revenues of the church were originally the state's donation: the state, therefore, had an indisputable right to the appointment of church offices, prior to the era from whence our author dates his alliance, viz. the reformation^z. The church, consequently, had no right to

^x Book 2. ch. 4. p. 145.

^y B. 2. ch. 3. p. 131. I observe once for all, that the edition of the Alliance, that I quote, is that of bishop Hurd's, in the fourth vol. of Warburton's works.

^z 35 Edw. I. 25 Edw. III. Statute of Provisors. To say, as Mr. Burke, that the estates of the clergy are "private property," (Reflections on the french revolution, p. 150. 11th ed.) is to confound the characters of lord or proprietor, with that of temporary possessor, or more properly, of steward. At the dawn of the reformation,

to deem herself independent in this respect: a consideration, which materially lessens the dignity of an alliance, to be formed between two "sovereign, and independent societies."

But, let me take the liberty to ask, When was this alliance formed? The bishop tells us, in Edward the VIth's reign. "Then it was," he says, "that this alliance between the protestant church of England, and the state was made; on the natural dissolution of the alliance between the popish church and it^a." Prudence required the bishop to take his stand there. But he had before observed, "that the privilege, which the state gained, through the

reformation, when the clergy in all christian commonwealths possessed a third, or at least, a fourth part of all the rents and revenues, their power and wealth became the subject of public discussion. It was then maintained, and supported by the testimony of the most eminent fathers of the church, that the possessions of priests were pure alms; (hence they were said to be holden in frank almoigne) and on this ground, on proper occasions, might be resumed. This matter was discussed at large at the university of Prague. See the 2d dissertation in the university of Prague, on the 17th article of John Wickliffe, proving by twenty-four reasons out of the scripture, that princes and lords temporal have lawful jurisdiction and authority over the spiritualities of churchmen, &c. In Fox's acts and monuments, at the top of the page are these words: "the clergy are stewards, not lords of goods." Mr. Burke, on the other hand, calls the state the guardians. In the above dissertation the men, whom Mr. Burke calls proprietors, are called (in connection with the idea of "pure alms") "the poor, and beggars:" Austin calls them, "needy souls." If the clergy are not "ecclesiastical pensioners of the state," to whom of right do the public revenues belong? If they are not dependent on the crown, Why do they to this day, as feudal vassals, do homage for their temporalities? When, therefore, the state shall be obliged to seek resources in the revenues of the church, it will not be an act of plunder, of robbery, or of perjury, but of directing property into a channel, which the proprietor thinks most honourable or most beneficial. A more equal distribution would be an act of mercy; a more decent regulation an act of wisdom; a total resumption, where public necessity calls, an act of justice. And when the rule of mercy prescribes the limits of reformation, nothing but what is excessive would be lost.

^a ch. 4. p. 141.

concession of the church was SUPREMACY in MATTERS of religion; the church resigning up her INDEPENDENCY, and making the magistrate her SUPREME HEAD." Now the magistrate was owned SUPREME HEAD, in Henry the VIIIth's reign, the act of Edward the VIth did but revive and re-establish the title and powers of Supreme Head, as possessed before the reign of Mary. This great branch of independence, then, had actually been resigned before the ALLIANCE commenced^b.

Besides,

^b There had been in the early part of our history warm disputes between the papacy and the kings of England concerning their respective privileges. The encroachments of the former had been enormous. From the days of Edward the Ist, therefore, many statutes had been made, to confine its exactions within some reasonable bounds. These statutes related to investitures, receiving appeals to Rome, and sending legates to England: and by 16 Rich. 2. cap. 5. it was enacted, "that if any did purchase translations, bulls, or other instruments from the court of Rome, against the king, or his crown, or whosoever brought them to England, or did revive, or execute them, they were out of the king's protection, and that they should forfeit their goods and chattles to the king, and their persons should be imprisoned." The proceedings being on a writ, the principal words of which were *præmunire facies*, the aforesaid statute was called the statute of *præmunire*. These statutes, though in force, had been frequently suffered to lie dormant. Henry the 8th resolved to have them put in execution, and brought all the clergy under a *præmunire*. But the king on "a reasonable composition, and full subjection," agreed to pardon them.

Accordingly in a convocation held at Canterbury (anno 1531.) it was agreed to acknowledge the king protector and supreme head of the church of England. And in the petition, "the clergy prayed the king to accept 100,000*l.* in lieu of all punishments, which they had incurred, by going against the statutes of provisors, and did promise for the future neither to make, nor execute any constitution without the king's licence; upon which he granted them a general pardon: and the convocation of the province of York offering 1884*l.* with another submission of the same nature afterwards, though that met with more opposition, they were pardoned." Burnet's Hist. of the Reformation, part 1. b. 2. p. 113. 2d edit. Under these humbling circumstances, then, the clergy took the oath of supremacy; though the supremacy itself was not settled till three years afterwards, viz. anno 1534. To speak of the clergy now as an independent clergy, as Mr. Burke has done,

Besides, considering the church of England as a christian church, she had not the POWERS, of which her "independence was the consequence," even on the principles of our church-statesman himself. For though he admits with Hooker, that church DISCIPLINE is changeable, this must be understood with some degree of limitation, his system obliging him to admit, that baptism and the Lord's supper are fixed. He also grants that the DOCTRINE of Christ is "unalterable^c." On the principles of Warburton, therefore, the church had not the powers of forming "a free convention." She could not part with her independence. Lord Bolingbroke, indeed, has somewhat mislaid Warburton's argument; he has, however, forced out this acknowledgment from the bishop, "that a christian church is debarred from entering into any such alliance with the state, as may admit any legislator in Christ's kingdom but himself, (that is, a power in the magistrate to ALTER DOCTRINES) but no such power, adds he, is granted or usurped by the supremacy of the state (which extends only to DISCIPLINE^d), the unalterable part of the law of Christ being its doctrine." Whether the doctrines have not been altered, will be the subject of a future inquiry; if they have, both parties have exceeded their powers, by "the compact."

To the question, Where this charter, or treaty of convention for the union of the two societies is to be found? The bishop thought it sufficient to answer, "In the same archive with the famous original contract between magis-

done, (*Reflections on the french revolution*,) is less consistent with truth, than even the notion of bishop Warburton. Indeed Warburton himself has confuted this notion of Mr. Burke.

^c Postscript to the 4th edit. p. 300.

^d Ut sup.

trate and people, so much insisted on in the common rights of mankind^a." But I am not satisfied with this answer. For the "original compact is the only legitimate foundation of civil society." Nor is it necessary to insist on the constitutions of the american states, or on the declarations of rights in France; as though no other examples of a contract could be produced. There was an express contract between the Gileadites and Jephthah before the Lord, and all Israel followed them. The grecian states had a contract: and even the officer among the Romans, whose power was the most extensive, I mean the dictator, was bound by a condition, *ne quid detrimenti respublica capiat*, that the commonwealth should receive no injury. Livii hist. In the coronation oath, as Blackstone accurately observes, there is a fundamental and express contract, the principal articles of which appear to be at least as ancient as "the Mirrour of Justices, and even as the time of Bracton." Blackstone's Comment. vol. 1. p. 228, 229. 4to edit. Mirrour of Just. c. 1. Bracton, l. 1. tr. 1. c. 9. He might have produced his examples from the first saxon kings, and even, as I have already shewn, from the duke of Normandy. See Conc. Brit. Spelman. So that it is the basis of the british government, and the very language of our constitution speaks out, what the doctrine of an original contract implies. "Something like it," says the bishop, "we say of our ALLIANCE." Things that appear very much alike at a distance, are sometimes widely different, as we approach them. Now this I say of our ALLIANCE. It has not only never been formed, it is not even implied; the very notion is unnatural; it is not only a mere fiction, but attempts to realize it, have pro-

^a Book 2. p. 140.

duced practices unjust and unconstitutional. For let it be noted,

That the state stipulated, as an article of the alliance, that the administration of public offices should be appropriated to the church, to the exclusion of the rest of the community^f. “These, it seems, were to be considered as a reward for her services,” and as a “protection against her enemies.” Now this I say is disgraceful, unjust, unconstitutional; moreover, what is worse still for this political system, trifling and ineffective: and, to borrow a little warburtonian self-sufficiency, the doctrine itself is false. For this was no condition in the original alliance, as he calls it, it was hedged in a century after the famous alliance was formed; even when the test law was framed; of which more hereafter.

“Reward,” says bishop Warburton, “is not one of the functions of civil society^g.” This position is designed to prepare the way for the expediency of a test law, excluding dissenters from places and offices. But I observe a little management with the word “reward.” I distinguish between reward and a capacity for receiving it. Every good citizen is capable of this: a good government also is capable of enforcing it, because it CAN distinguish the objects of its favour. The law ought not to say, “Are you a good man?” Are you a good christian? Here I acknowledge the “motive” should be known. The question, therefore, belongs to a higher tribunal. But civil government can determine this question, Are you a good citizen? For the “motive” need not be known. A “judicial” determination, therefore, is not necessary^h. Nor is civil society discharged of its debt, when it hath afforded mere protec-

^f See b. 3. ch. 2.

^g B. 1. ch. 3.

^h B. 1. p. 31, 32.

tion. For while one party possesses all public offices, and the rest are excluded from administration, the services of the former must be paid out of a tax levelled on the latter. All parties contribute to raise the fund, and one only receives out of it. Society, therefore, is in arrears with the dissenters.

I observe a little management, also, with the word SOCIETY. It was expedient for the bishop to prepare his reader for this whimsical discovery, that christianity formed a political society. It was, therefore, necessary to lay down this previous maxim, "That religion constitutes a society:" he, accordingly, attacks with vigour the notion, "that religion is a kind of divine philosophy in the mind," and goes sword in hand equally among "the philosophers," and the "sectaries^l." We allow great geniuses to act, now and then, the knight of la Mancha, as doth here our renowned church-statesman. For most of the philosophers have been advocates for what he calls politic societies, for the vulgar; though averse to their shackles themselves, from a conviction that "they are founded in error and lies." And some think, that the sectaries have been zealous for religious societies, even to the extreme. Even that "wise sect" (as the sneering Warburton calls the quakers) admit society into their religion, as our author himself hath exemplified in the case of Mr. Pen, and Mr. Barclay: I also add, that they are a living example of the falshood of his assertion, "That the quaker abolishes the very being of a church^k," for I admit Mr. Locke's definition of a church, in preference to any thing, that the author of the alliance lays down, viz. "It is a free society of men assembling of their own accord, to pay public

^l B. 1, 2.

^k B. 1. p. 36.

worship to God, in that manner, which they believe to be acceptable to the deity, and tending to promote their salvation." But the sectaries are not "proper societies," that is, as he elsewhere speaks, "policed societies," or "political societies." This, I confess, is true. And no remark is more true, than that of Rousseau's, "The christian religion is, at bottom, more hurtful than beneficial, to the firm constitution of the state;" substituting only for the christian religion, the christian priesthood, that is, political religion.

CHAP. VIII.

OTHER OBJECTIONS ANSWERED. REMARKS ON MR. PALEY, AND OTHERS.

BEING one of the "fanatic rabble"^a who with coolness enough to examine our establishment, have heat enough to despise it, I am sorry my limits do not allow me to consider more at large the arguments of this polite writer. I proceed to collect together as concisely as possible other reasons for our present establishment, and some reasons against it.

It is said, then, that the state of society is weak, and solicits the support of religion; that religion is exposed to injury, and requires the protection of the state^b: hence is inferred the necessity of an union: civil and ecclesiastical polity too, though rising from different foundations, are

^a Postscript to the 4th edit. of the Alliance.

^b Alliance, b. 1. ch. 3.

said to meet in a center, and to form the strong arch of government^c: that the civil magistrate may choose his religion, as well as individuals: that the state hath a right of private judgment: that all religions are constitutional and legal, that are appointed by the state^d: that christian emperors over-ruled religion: that the kings of England had an ancient claim on the supremacy^e: and that the jewish polity illustrates the propriety, and confirms the excellency of our ecclesiastical constitution; it being “by pattern of that example, that ecclesiastical causes are by our laws annexed to the crown^f,” and that the excellence of our english establishment is, that while it confines civil offices and employments to its own members for security, it gives a free toleration to the rest; allowing liberty of conscience, yet protecting the establishment by a test law^g.

As a test law is supposed to be the support of an establishment, and an establishment an essential part of civil polity, test laws and an establishment are said to have a mutual influence on each other, so that the removal of the former would hasten the destruction of the latter. And what would be gained? Have not those who have made objections to establishments and test laws, given proof, that they are in pursuit of an Utopia, a scheme contrary to the common sentiments, and the universal practice of mankind? Have not those who have opposed establishments and test laws in one form, been obliged to adopt them in another? The puritans in queen Elizabeth's reign made great outcries against episcopacy; but took the

^c Reliq. Spelman.

^d Rotheram's Essay on establishments.

^e Burnet's Hist. of the reformation, part 1. p. 106. 2d edit.

^f Eccles. Pol. b. 8. p. 407.

^g Alliance, b. 3.

first opportunity of establishing presbyterianism: they fled in the reign of James from an establishment in England, and were for establishing uniformity in America^h: even Mr. Pen, it has been said, when he advanced to legislation, found a test law absolutely necessary for the purposes of civil governmentⁱ. Envy of the ruling party, therefore, is said to be the ground of opposition, rather than a regard to the interests of any particular government.

I would just observe, that the question relative to establishments (though questions of this kind do not properly fall under this division) does not turn upon the issue of this principle, “that man is by his constitution a religious animal, and not an atheist,” but on this, whether this religious animal, in conformity to his reason and instincts, will not provide better for himself, than the state, or, to keep to Mr. Burke’s idea, his keepers, will provide for him; nor on this principle, “whether we would uncover our nakedness, and throw off the christian religion;” but on these, whether we should not be better clothed with the pure vestment of christianity, than the flimsy decorations of human folly; less still will it depend on this principle, that without such provisions as establishments, “temporary possessors and life-renters in commonwealths, that is, the legislative and executive powers, would act as if they were their masters, and that therefore a church establishment is essential to the state;” and least of all on this, “that society is a partnership in all virtue, and in all perfection^k.” These objections of Mr. Burke are only mentioned cursorily, for as most of them do not properly belong to this

^h Ramsay’s Hist. of the amer. revolution, vol. 1. p. 9.

ⁱ Alliance, p. 233.

^k Reflect. on the revolution in France.

place, so do none of them appear to me to carry much weight.

There is, however, an objection, which should be taken in, though neither does this properly affect this part of my subject. Some writers then have been ashamed to consider religious establishments, under the character of alliances with civil magistracy, conceiving that such a notion debases religion, and dishonours government. Without an establishment, however, they suppose, sufficient provision is not made for the interest of religion: and the light, in which they view such an institution, is that of a "scheme of instruction¹." This, it is acknowledged, is the most respectable view of establishments, and may appear, perhaps, the capital objection against an entire removal of them.

To these objections I reply, that as the state of society is weak, and wants the support of religion, every individual should be encouraged to choose his religion, and feel no inconvenience from his choice: the religion, which people choose for themselves, will be personal; and that will give strength to society; all beyond, will weaken it. —Is religion exposed to injury? It is the duty of the civil magistrate to protect it; it is also his interest; if the civil magistrate protect all parties, all parties will have an interest in supporting the magistrate; this reciprocal obligation will create a firm and lasting union; and there will be no occasion to make terms, or strike an unrighteous bargain. Let the balance of religious opinions be preserved, and a poize will at the same time be thrown into the scale of government. Let the civil magistrate choose his religion: but let him not presume to choose a religion for me.

¹ Paley's mor. and pol. philos. vol. 2. p. 305. 7th edit.

But if, after all, a state must have a religion, let us not be surpris'd if it partake of state intrigue, and worldly policy : and if it be buried in the ruins, which must, in the issue, overwhelm all corrupt governments.

The authority of christian emperors, and the claims of english kings, must not be pleaded as argument, unless it can be proved, that christian emperors, and english kings, always did right, and that their practice is a rule for us. But the reverse of this will be found true ; and, in this period of the world, weak indeed is that politician, who wastes his time, and dissipates his talents, in admiring the follies, and imitating the vices of his ancestors. In the question relative to establishments, impartial inquiry will find arguments, that demonstrate their impolicy. It would shew us, that men the least eminent for wisdom, have been the most ambitious of power ; and that the most arbitrary governors have not unusually been the most zealous saints. As to the jewish polity, it was of a genius peculiar to itself ; controlled by a divine, though invisible sovereign, it was directed to a particular object ; singular in its external regimen, it was not to have its likeness in the vast system of human affairs ; local as to its principles, it could not suit itself to the general wants of civil government. Nor, indeed, had the civil magistrate among the jews the authority, since assumed by christian kings. They were, indeed, to keep the law, but they might not alter the DOCTRINES. But, Where is the divine command authorizing, or encouraging an imitation of a jewish original ? And, where is the people, who have, indeed, copied it ? The most splendid imitations have been gorgeous daubings, or solemn caricatures. And our artists have been too often the very reverse of those masters, whom they professed to copy. As to the general policy of nations, though it
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could

could be shewn, that all states had exhibited some established forms, and public tests, it would only shew us, what had been the customs of antiquity; but if customs have proceeded on mistakes, Why are they to be continued as laws to posterity? There have been always cunning men and dupes. (But politics are capable of unknown degrees of improvement. Political wisdom is not wont to shew itself in imitation, but in gaining experience from the errors of past ages, in following the order of improvements, in refusing truth from the rubbish of gothic antiquity, and political knavery. Standing on a superior eminence, she sees not the fabrics of superstition, or the babels of ignorance; she hears not the tumults of ambition, the shouts of conquest, or the noise of faction. The object in her eye is MAN. Him she invites, undeceives, instructs, humanizes, blesses: and in correspondence to the wants and capacities of existing nations, and not to the imperfect conceptions of ancient legislators, or the rude impertinence of departed tyrants, she forms her councils, and directs her measures. And as present times come forward to her survey, and engage her attention, she sees liberty in the train, while antiquity retires from her eye, and vanishes in a point. Too well instructed to admire defects, for their antiquity; or to overlook improvements because incomplete, she advances with prudence, yet with intrepidity; with humility, yet with perseverance; with modesty, yet with success. Happy to send out mistakes, as well as to pursue discoveries, she yields without meanness, and conquers without insolence; and thus never rests, till she gains perfection: This, this is political wisdom.) The puritans in the most violent times acted more agreeably to the principles of the british constitution, than their oppressive adversaries; and the quakers in Pensylvania exhibited the fairest model

model of a free toleration, that had as yet been exhibited to the christian world. But the puritans had not the most enlarged views of religious liberty; and Mr. Pen, when he framed a test law, the mildest, that had, as yet, been proposed, did yet claim too much. The Americans in their new constitution have improved on their ancient plan ^m.

Admitting, for a moment, the necessity of an establishment, a test law, considered as a restraint on dissenters, is essential neither to its existence, or strength. Holland, Germany, Russia, and, of late years, even France afford proofs to the contrary ⁿ. Scotland and Ireland too throw a considerable weight into the scale. We have been told by a prelate of Ireland, that the preservation of the established church was owing to the conduct of dissenters. In England, also, we had an establishment before we had a test law, and since a test law has been framed, it has been proved, that an establishment collects strength, in proportion as the toleration is enlarged ^o. There are periods, when truth is seen by contrast, and reformation follows close upon corruption.

But admitting, that the removal of a test law hath a remote tendency to weaken an establishment, and even supposing an establishment altogether removed; still I think, all our fears for religion are ill founded: and all other fears proceed from selfishness or ambition. When was christianity taught with the greatest zeal, and received in the greatest simplicity? Before the establishment of it by Constantine the great. I am also forced to admit, that religion rests on a stronger basis, where it is not established, than where it is. Survey the different parties without the

^m See the end of this chapter, notes.

ⁿ Right of protestant dissenters to a complete toleration, part 2. ch. 6.

^o Ibid. part 2. ch. 6.

church; they stand firm, though not established; they are even oppressed by the establishment, yet they stand firm.—Nor are they either “atheists” or “infidels,” whatever some mistaken men, or some hirelings of the day may insinuate. Would they lose ground, if those oppressions were taken away by the removal of our establishment? Very far from it. As to those, who now compose the established church, if the legislature had not made provision for them, they would naturally sink into one or other of the sects, or form societies more agreeable to their taste: and real religion, so far from losing any thing, would, I am persuaded, be a considerable gainer. Those, who felt no interest in religion, would do, as they do now. They would either, from considerations of decency, or worldly interest, frequent, on the first day, some place of worship, or else smoke their pipes, talk politics, visit their cousins, and take their pleasure, as they do now: and virtue, truth, and piety, would compose the “consecration of the state^p.”

The state of those dissenters, who have academies more professedly appropriated to the study of sacred literature, than either of our universities, as well as “a class of men, set apart to the teaching of religion, and to the conducting of public worship, and for these purposes secluded from other employments^q,” affords, I think, a sufficient reply to Mr. Paley’s first question on establishments: for they differ as well from the quakers, “who have no separate clergy,” as from the established clergy, in not being “set apart by public authority.” This system entirely sets aside Mr. Paley’s remark, “that it would be found impossible

^p See Burke’s reflections, &c.

^q Paley’s mor. and polit. philos. vol. 2, p. 306. 7th edit.

to engage men of worth and ability in the sacred profession." For have not this order of men, even in the judgment of many of the most respectable of the established clergy, produced some of the ablest defences of christianity? And, Shall we entertain that opinion of many learned men within the church, as to suppose, they would have been less industrious in their researches, or less communicative of their labours, if they had not been excited "by those allurements, which invite men of talents to enter the church?"

I acknowledge, indeed, that those who engage in the ministerial profession, when supported by voluntary contributions, may be exposed to difficulties, and even warped by temptations; I acknowledge, "that a polemical and proselyting spirit, mixed with views of private gain, may sometimes generate strifes and indecent jealousies." Yet trifling are these evils, when compared with the alarming consequences of the opposite system. In the one case, it is the popular preacher, availing himself of what he conceives the simplicity of the vulgar, studying the arts of insinuation, sowing a few errors, and misleading a handful of people: in the other, it is the aspiring prelate, instructing mankind to do homage to the power, that enslaves them; concealing truth behind the splendid apparatus of office; flattering the magistrate to perpetuate error, and debasing the policy of NATIONS!.

* Paley's mor. and polit. philos. vol. 2. p. 323.

† Ibid. p. 319.

‡ That Mr. Burke's fears from a mode of ecclesiastical canvass, are groundless, may be seen by the practice adopted in America, and now also in France: that they are groundless in regard to the dissenters in England, see well maintained by one of Mr. Burke's answerers. Letter to Mr. Burke, from a dissenting country attorney, p. 101, 102.

But the abuses of individuals afford no plea against institutions, just in their principles, and benevolent in their tendencies.—Let the two systems be examined by this criterion, and I shall not be long in determining where the truth lies; let them also be considered on another ground, and the advantage still is evidently in favour of the less exalted party. The tender attachments, and strong friendships, which exist between pastor and flock, united together by mutual obligations, afford a strong presumption, that the system which leaves the maintenance of ministers to the free and voluntary exertions of the people, is preferable “to a legal provision, compulsory on those who contribute to it.” To say the least of one system, it is evidently founded in justice. Whereas the other, that leaves the pastor independent of the flock, has contrary tendencies. The affection and respect, which ought to be equally divided among a society of friends, (and such men uniting in social worship ought ever to be) retires to the hall of a great patron. As to the flock, the pastor feels his independence, affects a superiority, mutual attachment is not known, and a compulsory provision is paid with reluctance, and received with suspicion.

With arguments derived from the nature of christianity, and the prophecies of the holy scriptures, let the friend to truth attack religious establishments. Whatever strength they challenge for themselves from the customs of antiquity, or the practice of existing nations, they are founded on the sand. The touch of philosophy will shake them, the foot of time will destroy them. If christianity had been left to its own inherent force, the difficulties, arising from the extent of parishes, and the maintenance

of ministers, would, ere now, not have existed^w. But I must not enter on this question here.

The doctrine of "general expedience," the basis of Mr. Paley's philosophy, has been lately examined by a judicious writer^x: the evil tendency of the principle he has, I think, fully shewn; and with a candour, liberality, and good sense, for which, I am persuaded, he will receive the thanks of Mr. Paley. So far as relates to establishments, the tendency of this principle is most pernicious. Under its shelter, the tyrant and politician deluge the world in blood, and the philosopher converts articles of faith into articles of peace!

I conclude this chapter with a reflection of an excellent writer. "And if this be our opinion concerning establishments, that they are not strictly vindicable on principles of liberty, we shall easily perceive, that an establishment without a toleration is detestable; and that in an establishment with a toleration, it is the toleration, which is the most sacred part of the constitution: that, being the assertion of religious liberty, which is a natural right; whereas an establishment is always, more or less, an invasion or infringement of it: and should any of those, who acquiesce in religious establishments, happen to embrace such sentiments concerning them, I can see no worse consequence likely to arise, than that they would be more zealous for reducing them to as near a conformity as possible with christian liberty, and christian simplicity; whereas high notions of the authority of ecclesiastical governors, or of the civil magi-

^w See Paley.

^x The principles of moral philosophy investigated, and briefly applied to the constitution of civil society, by Mr. Gisborne.

strate in matters of religion, are apt to teach that "patient resignation of private conduct to public judgment," which, though "many ingenious authors" seem to think very commendable, I am glad it is not my task to defend ^y.

^y Furneaux's Letters to judge Blackstone, p. 49. Notes. I cannot suffer myself to pass unnoticed here the dissingenuous conduct of bishop Warburton, who, in giving us the sentiments, as he would have us believe, of king William, both before, and after he came to the crown, says, "his conduct was uniformly the same. He gave them, that is, the protestant dissenters, a TOLERATION, but would not consent to abolish the test." The only fault I find with this account, says Dr. Furneaux, is, that it is not history, but fable. He has, accordingly, given a fair statement of this matter from historians of credit, from the speech of his majesty, and from the journals of the two houses. Furneaux's Letters, p. 178. notes.

N. B. To illustrate p. 255, I add this article of the new constitution in America, "The Senators and Representatives, and the members of the several state legislatures, and all executive and judicial officers, both of the united states, and of the several states, shall be bound by oath, or affirmation, to support this new constitution, but no religious test shall ever be required, as a qualification to any office, or public trust, under the united states." Art. 6. Nine of the states acceded to the new constitution, in 1787. In 1786 the state of Virginia passed an / "act for religious freedom," by which the maintenance of ministers is left at the option of the people. The policy of these states, and the prosperity of religion in Virginia, confirm my remarks on these subjects, and afford an additional answer to many things advanced by bishop Warburton, and Mr. Paley.

CHAP. IX.

GENERAL REMARKS ON GOVERNMENT, THE BALANCE
OF OPINIONS ON THE ENGLISH CONSTITUTION.

THE reader will keep in mind, that the question on subscription is necessarily connected with another on the principles of the british constitution. In this chapter, therefore, I propose to take the balance of opinions, and to hold it with an impartial hand. An Inquirer should be a kind of insulated man. So let me be considered here, neither churchman nor dissenter, one for whose follies and mistakes no party is responsible. Here and there a churchman or a dissenter may happen to coincide with me in sentiment, but for no other reasons, than a deist or a jew may: but in all sects and parties I shall have a decided majority against me. The reader therefore must consider me as moving with none. I affect not to despise any party; I respect worth in all: but I will involve none in imputations, which proceed from the delivery of invidious truths. In giving an opinion, I will neither be dogmatical, nor censorious: but I will have no reserves.

What virtue is to individuals, that government is to a community, its dignity and strength.

A government has wisdom, when it expresses not the will of the few, but the reason of the many; justice, where it is suited to their wants. Where provision is not made for these, there is no wisdom, no justice; and in proportion as these provisions are precarious or defective,

government is unstable, is incomplete, and sooner or later must yield.

Where a nation governs, forms of government are arbitrary, transient; they depend on the will of that nation. Principles there may be, which enter into that government, which vary not; they may be essential to the happiness of man, to the happiness of a nation: and as individuals, so nations cannot will their own misery, except through mistake.

Whatever, therefore, is found to be inconsistent with the happiness of a nation, cannot express its will; it can never be a fundamental in government. Is it a law? It may, it ought to be repealed.

The more the foundations of government are looked into, it will appear, there are certain claims, which are strong, but they are strong only by prejudice or by custom. When the true claim comes, they give way. Nothing can resist this. The true claim is that, which is better founded, the more it is examined, it is the WILL OF THE COMMUNITY. Where the true claim has not been made, a nation never was strictly free; it was never sovereign; the public mind was never known.

I have laid down what are supposed to be the principles of the british constitution. These, (the fundamentals I mean, I here speak only of these) go into all good governments: none are good, which do not, in some form or other, provide for them. Principles are not formed from the customs of antiquity, the caprices of party, or the expedients, contrivances, shifts, and struggles of faction. They are the result of thought and experience; they imply legislative intellect; they form science, the reverse of prejudice; the reverse too frequently of those rules, by which nations are governed. So far as these funda-
mentals

mentals extend, England hath a good constitution; prove that they do not exist, and you prove that England has no constitution at all, or you reduce it to a theory: or prove there is a force that over-rules these principles, and you reduce it to a theory. Whether England has a constitution in the strict sense laid down in the declaration of rights in France^a, or whether it is a “form of government without a constitution,” I shall not here determine^b.

The reader, however, will perceive, that in speaking of the english constitution, I have already yielded to the opinion that there is too much of theory in it. But constitutions are for use, kinds of directories to legislatures; and one excellent in theory may be defective in practice.

In England and some other European states the supreme magistrate is styled king; a title under which different nations have had very different ideas. There is no charm, so evil in names. Some of the grecian magistrates had the name of king without the majesty, the roman emperors the majesty without the name. In the old testament, Abimelech is called king, who yet could be only a general. The same might be said of monarchs, if in strictness of speech, monarch meant no more than public functionary. But when european states speak of a sovereign lord, of a sacred majesty, of a defender of the faith, and the lords anointed, mankind are misled. The former term favours of conquest, the next of theological claims; the third of superstition, if not of something worse; the last is the incentive of priests to the pride of kings. They have no necessary connection with civil magistracy. Here it was the unhappy Stuart family were misled, and at length ruined*.

^a Art. 16.

^b See Mr. Paine's first and second parts of the rights of man,

* Vid. Jacobi Opera Jus lib. monarchiz.

Many evils I know are chargeable on elective monarchies. It has been asked in return, are elective monarchies the only evils, that can befall nations? But, whether the evils proceed not from making the office too great a prize, from the cabals of aspiring aristocrats, or some unsystematic and partial procedure in the forms of election, should be considered. The disorders in Poland will be found, perhaps, to have flowed from this source; the rapid succession of the algerine deys, from leaving the election to the military^d. Evils there are in that ancient republic, or more properly, the aristocracy of Venice. But the appointment of the doge is not one of these. He is chosen out of the senate for two years, and falls again into that body without those cabals, which convulse nations. The ancient Catalonians chose their supreme magistrate every fix months; they were a happy, a virtuous people. Their liberties were not destroyed by excess of liberty, but by the insolence of an ecclesiastical despotism^e.

2 The government now existing in France makes the crown hereditary. The crown of Poland is still elective as to families, but hereditary succession takes place to the throne^f. But in both kingdoms, the nation enacts laws, and the person, wearing the crown, is not placed on that eminence, from whence tyrants crush the liberties of nations. This proceeds from the wise arrangement of the powers, that appoint the legislature. In France the nation is supreme. I am not here deciding on the superior excellencies of an hereditary or elective monarchy. In the balance of opinions I wish to find political truth. I am an inquirer, not a dogmatist.

^e Sidney on gov. ch. 2. § 26.

^d Shaw's travels, p. 111.

^e See Robinson's Ecclef. researches, p. 300.

^f New Constit. of Poland, art. 7.

There is a modern government where the office of supreme magistrate is so frugally supported, so wisely directed, and where the electing powers arise from so prudent an arrangement, that I venture to affirm, the evils charged on elective governments are never likely to happen ².

In hereditary government this at least must be said, that the evils of them cannot be remedied, the good to be expected is uncertain. Good and evil qualities are swallowed up in the line of succession, and one who is *deliciae humani generis* may be succeeded by a monster: as to oaths, a way there is of violating them, without incurring the odium. Besides, by being made too secure, they may be rendered feeble. They may look to ministers for support, to flatterers for importance. Montesquieu thought it was essential to despotism that the sultan should choose the vizier. The excellence of the roman government, Sidney remarks, was, that it enabled the people to expel a tyrant, but did not oblige them to let another succeed him.

It is said by some, in order to avoid the evils charged on hereditary magistracies, that personal wisdom or capacity is not necessary. Let them only know how to execute orders. This is frequently said by some in England, who, perhaps, consider monarchy as an evil, which they cannot wholly remove: and is, indeed, a satire on free governments, which it was their design to praise. I acknowledge that in monarchies little regard is paid to the character of him who governs, and why? People sit down easy under a belief, that they cannot help themselves. But a wise administration should seem to require capacity, as well as virtue. How far at the revolution the right of choosing our own governors was admitted, it is not here my province to dis-

² American constitut. Ramfay's hist. of America, vol. 2.

cuss, nor would I be understood either to censure or praise those who have discussed that question. That the right exists in a nation is as clear to me, as that the Saxons did actually exercise it.

The true organization of government is there only, where the legislative and executive powers are distinct. We talk as if this was the case in England. Is it then so? When I consider that the direct power of the king is considerable (for no law is made without the royal consent), that the indirect is more considerable still, I fall into the opinion already referred to, that the king is more than an executive magistrate. If there be a power in a state, whether law, force, or influence, or all combined, that enables one man to get his will enacted into law, By what name must I call it? If I speak of the english government, as a free monarchy, am I not speaking of a theory?

Some may think, perhaps, that modern constitutions formed by the model of the english theory, have improved upon it. The president of the united states of America, if he approves a bill, signs it, and it becomes a law. If he disapproves it, provided two thirds of the house of representatives, and of the senate, approve it, still the bill passes^b. The french king can only suspend a bill for two parliaments, but cannot prevent a bill finally from passing. In Poland the king only acts as president of the house of senate, in legislation. He has one vote, and in case of parity, the casting vote^c.

In England the splendor of the prince is increased by being blended with the federative power of the community. I mean that, by which war and peace are declared, treaties

^b Constitution of united states of America, art. 1. §. 2.

^c New constitut. in Poland, art. 7.

settled, and the like. It is common, indeed, to say that the people have a check on the crown. They can withhold supplies. But here again, Are we not misled by a theory? The minister ensures a majority, and supplies are voted of course. Besides, Is war proclaimed? Are men procured? Supplies must be raised, or a mutiny would follow, and the nation, on the very crisis of hostilities, help forward its own ruin. Besides, war is sometimes a pretext for raising supplies, when no hostilities are intended. Were not Locke^k and Montesquieu^l unguarded in conceding to the executive power the federative also? The reasons assigned by Montesquieu have no weight applied to soldiers, who are citizens; applied to men, composed of "the most despicable part of the nation," perhaps they have weight.

Another instance there is, in which, though the legislative and executive power are thought distinct, they are yet made to compose one interest. This is seen, where members of the legislature are placed in offices of power and trust in administration. May not too this interest be strengthened, by assigning to them profits without employments, and advantageous preferences in commercial contracts?

Hume thought, as before noticed, that corruption was essential to a government organized like that in England. Corruption is another name for influence; which may insensibly wear away good political institutions: or political institutions may be so constructed, that influence may operate as a species of magic, against which human contrivance has no remedy. Through the character of electors, the modes of election, the forms of administration, the intermixture of the legislative and executive powers,

^k Locke on gov. c. 12.

^l Espr. des Loix, l. 11. c. 7.

influence may gain admission; and while men are boasting of their rights, liberty may be no more.

In governments professedly despotical, as at Constantinople or Morocco, no political power, or secret influence is necessary to destroy liberty. The will of the seignor or emperor is direct; and the military arm, if necessary, accompanies it.

In governments professedly free, where the will of individuals is not so direct, it may be as effectual: a political power may destroy popular liberty. Sparta is spoken of as a free state, and true it is she had her great assembly, where all freemen met. This looks like liberty. Yet she had it not. The assembly was at the entire control of the senate^m.

Influence certainly may produce similar effects. It may destroy freedom. There are not wanting those who say it actually does overpower the liberties of England: who say, that though englishmen enjoy a considerable share of civil liberty, their political is very small: an important distinction, that has escaped many politiciansⁿ: even the panegyrist of the english constitution seems to question whether England enjoys liberty. "It is not my business," says he, "to examine whether the english actually enjoy this liberty or not^o."

If there be a state, where the people are fairly represented, where the legislative and executive powers are not intermingled, where the forms of administration depend not on factions and struggles, but on rules constitutionally settled, and accurately defined, in such a state, a government by influence cannot exist.

^m Xenophon De Spart. Rep.

ⁿ See Lectures on political principles, by the Rev. David Williams.

^o Montesquieu.

Prerogative, says Mr. Locke^p, is a power to act according to discretion for the public good without the prescription of law, and even sometimes against it. The excellence of it is seen in sometimes qualifying the severity of the law, as in the pardoning of criminals: it sometimes happens, that *summum jus est summa injustitia*: in supplying the defects of law, and providing against unforeseen contingencies. It is a maxim in english politics, that the king can do no wrong, and is responsible for none that is done. This also is prerogative. It is his prerogative to choose his own ministers. They can do wrong. They are responsible. But when are they brought to account? As the prince virtually creates legislators in the house of representatives, he does actually in the other by prerogative. By the same power he calls, prorogues, and dissolves the parliament. Yes—He can dissolve it in the midst of business most interesting to the nation? Is prerogative a privilege sometimes exercised for the public good?—May it not also injure the whole body politic?

I cannot forbear remarking that a government, the design of which was “to make its laws, as near as might be, to the laws of England^q,” adopts a different policy in regard to ministers. In New York the supreme magistrate has no council. In the other states the council is nominated by the people^r. In France the king chooses his ministers, but they cannot be legislators. They attend the national assembly not in a legislative, but a responsible character. In Poland the Graz or council of inspection is appointed by the constitution; and no senator or counsellor, who hath a share in the executive power, can have an

^p On gov. b. 2. c. 14.

^q Albany papers, Dr. Franklin's miscellaneous works, p. 115.

^r Ramsay's hist. of the amer. revolution, vol. 1. p. 253.

active voice in the diet[†]. Among the Saxons, according to Tacitus[†], the king had counsellors appointed from among the people. In an hereditary monarchy, possessed of a share in the legislature, at least by the power of rejecting, and where ministers are legislators, the people cannot secure their interest, but by appointing them. In hereditary monarchies there should always be a council, because you cannot ensure official talents, but the people should appoint it, lest the talents of the minister should be turned against the people.

Shall I then, in speaking of the supreme magistrate of England, say that the legislative body is only composed of two parts, and that the prince is the executive power, and supply the deficiency of the three estates, with Warburton, by the clergy, who anciently composed an estate in parliament? Or shall I speak of him as one of the three estates? Or shall I date the constitution from the conquest, and speak of the king as a feudal king, and if not one of the estates of parliament, of more weight than either?

It is of little consequence either to the reader or myself, which side I take. For while the direct power of the crown is considerable; (for though the prince cannot resolve or debate, he can reject; no law, therefore, can pass without the royal consent :) while the indirect is still more considerable, I incline to the opinion that the king is a real king, not an executive magistrate: an inaccurate expression: but the writer * means, that the prince has a share in the legislature, that something of monarchy composes the character.

I have but a few remarks to make on nobility. I will repeat what Xenophon says. In no state, says he, are the

[†] New constitut. of Poland, art. 6.

[†] De mor. Germ.

* Mr. Burke.

nobles favourable to the people: equals are favourable to equals^u. And elsewhere he observes, in every part of the earth, the government of the nobles is inconsistent with that of the people^w: and he gives his reasons for the opposition of the two orders. Montesquieu, perhaps, had his eye on these passages, when he said the english nobility buried themselves with Charles I. under the ruins of the throne. He adds, they think it an honour to obey a king, but consider it as the lowest infamy to share the power with the people. I have already shewn that a patent nobility made no part of the old english government, or of the other governments of Europe. Xenophon and Montesquieu were friends, the one to aristocracy, the other to monarchy, yet nobody ever more exposed them. It is of a government, where an hereditary patent nobility is said to balance the two extremes of monarchy and democracy, that Blackstone observes, “It creates and preserves that gradual scale of dignity, which proceeds from the beggar to the prince, rising like a pyramid from a broad foundation, and diminishing to a point as it rises. It is this ascending and contracting proportion, that adds stability to any government: for when the departure is sudden from one extreme to another, we may pronounce that state to be precarious.” This is beautiful, flattering also to national vanity, but it is theoretical. The ascending and contracting proportion is seen among most of the american states in a house of representatives chosen by the people, in a senate appointed by the representatives, and in a president, or governor, appointed mediately or immediately by the people. Yet the Americans have no nobles. The system of aristocracy they think tends to weakness. It dissolves, they say,

^u Xenophon. *Αθηναίων Πολιτ.* c. 3.

^w *Id.* c. 1.

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the ties of families by the law of primogeniture; exhausts the public money in places for the younger branches of noble families: keeps the orders of society in a kind of dwarfish state, by perpetuating the maxims of a barbarous age; weakens the legislature by advancing men to legislation, whose private regards absorb public spirit, and who are irresponsible to the nation; and by dividing man from man, enfeebles the order of human beings^x. Who can tell where the tide of contingencies will flow? France, in whose political fabric nobility did indeed seem to form the great corinthian capital, saw it necessary to remove it, to raise a government of justice.

I have elsewhere admitted that an order of nobles might exist without a patent nobility. I have not said that it is necessary; or if necessary, that an hereditary nobility is. Their great use may be thought to consist in forming a kind of senate to give bias and consistency to other powers, and to produce a harmony in states: a senate has even been thought essential to a republic, and that France has left out of her political fabric the pillar of strength. "Never," says a writer, "before this time was heard of a body politic without such a council^y." Yet Geneva, in the infancy of the republic, was such^z: a more scientific writer than Mr. Burke, though he elsewhere says, that a king and people may exist without a senate, yet does, in fact, say there never was a good government in the world, that did not consist of three simple species of monarchy, aristocracy, and democracy^a.

^x Paine's Rights of man. Part 1. p. 71.

^y Burke's Reflections on the french revolution.

^z D'Ivernois' Hist. of the constitutions and revolutions in Geneva.

^a Sidney on gov. c. 2. s. 16.

Yet France has thought otherwise. She thinks by breaking the distinctions between man and man, she strengthens society, and makes the public force permanent by uniting it in a national assembly. I decide nothing on the truth of these sentiments: I propose these questions. Was it not the existence of the two orders of patricians and plebeians, that promoted all the disorders in the roman government? Were not the *senatus consulta* and the *plebiscita* frequently little else than exclusive decrees for particular interests? and while the patricians were encroaching on the plebeians, the tribunes, called to the aid of the plebeians, became in their turn factious demagogues; and amid private regards was not public liberty unknown? Was it not a senate that destroyed the liberties of Geneva ^b?

But England's true interest is said to consist in a house of commons.

There are two ways, by which a nation may frame laws; the one in their own persons, as in pure democracies, the other by representatives, as in mixed governments. The former mode can only take place in very small states; the latter may comprehend the union of many, and extend through an immense continent. It may go still further. Different nations might be centred by representation. On this plan Henry IV. of France proposed an european congress, to extirpate war out of Europe. Representation was unknown to the grecian states. Athens was a species of republic within itself, but supreme over other people.

I take it not to be a sufficient rule for representation, that a people should make laws by representatives, except they be representatives of the people governed. A partial

^b D'Ivernois.

T

representation

representation ends in aristocracy. In America none but freemen are electors, who must be possessed of 35*l.* sterling. In France whoever pays a tax of about 2*s.* and 6*d.* per ann. or three days labour, is an active citizen: to be an elector, he must be further a proprietor or life-renter of property, valued in the *taille* or contribution. It may be thought by some that even here representation is not complete, and that the qualification is contradictory to the declaration of the rights of man.

True it is, that none should be taxed, who are not represented. But the idea is not sufficiently extensive. It implies, that some are not taxed. But who are they? They are taxed the most, who seem of so small account, as not to be taxed at all. Should it not rather be said, all should have a share in making the laws, who are responsible to them; that is, all but children, idiots, and madmen? By the french constitution, men in a menial capacity, or servants receiving wages, are excluded. The reason, I suppose, is, they are liable to be controlled.

The aim of representation should be to create an equality in states: I mean a political equality: for in ascertaining the rule of equality, legislators have sometimes mistaken the end of commonwealths: as did Plato^c and Lycurgus. They were for establishing a community of children, of servants, of cattle, of possessions. The reason assigned by Xenophon is not sufficient. For by destroying money, and making property promiscuous, you destroy commerce. Plato and Lycurgus required for their commonwealths something like partnership in trade, when they ought to have required equality of civil rights, protection, justice, and a share in making laws. It is curious enough to ob-

^c Plato de leg. Xenophon. De Lacedemon. Rep.

serve, that the very state who carried their idea of equality beyond any of the grecian states, had less political liberty than either. The Athenians, who made lower pretensions to equality in political liberty, surpassed them.

We boast of representation in England. Certainly it is an excellence. But, Are we not somewhat deluded by the name of it in England? A sensible writer observes: that the walls of St. Stephen's chapel have not been visited by six members in any parliament, elected, appointed, or delegated by their constituents^d: and another observes, that not one in five thousand is represented^e. The saxon institutions were in many respects excellent; yet after all they terminated in a feudal aristocracy, as those of the Normans did in a feudal monarchy. And at present the house of commons is so constructed as to form an aristocracy, whether we consider the electors or representatives. None being qualified to be electors but freeholders, or representatives but men of considerable landed property.

This partial representation proceeds from some original defects in our government, from subsequent deviations from ancient practice, from the changeable nature of property and trading towns, and particularly from that influence, of which it has been said, it has increased, it is increasing, and wants diminishing.

I ask a question, that has confounded politicians. How is a reform in the english parliament to be attained? No common writer^f observes, The people when the legislature is once constituted, having, in such a government as we have been speaking of, no power to act as long as the

^d Lectures on polit. principles. By the Rev. David Williams, p. 178.

^e Hist. essay on the eng. constitution, 1771.

^f See Locke on government.

government stands, this inconvenience is thought incapable of remedy. For the honour of my country, I hope this remark not strictly true. If it be, what short of a national convention can remedy the evil? Heaven crown the wishes of constitutional reformers with success! But I fear the power of aristocracy is likely to procrastinate their hopes, as, on the other hand, a reform in representation would destroy the aristocracy.

In England, as none are qualified to be electors but freeholders; or to be representatives of counties without a landed estate of 600*l.* per annum; or of boroughs without a landed estate of 300*l.* per annum; what might be expected comes to pass. Legislators have a different interest from the community, and form an interest by themselves. In this instance, therefore, we impoverish the industrious, and enslave the poor. The present system of representation affects taxation in a way that escapes common observation. Legislators will ease themselves, by laying burdens on industry and commerce. Land is moderately taxed, and the necessities of life supply the deficiencies. Here too we are misled by theory. For though the tax on land is said to amount to four shillings in the pound, the average amount is inconceivably less, and uniformly deficient. While on the other hand, the necessities of life are dearer, and the taxes more burdensome than in any nation of Europe: the latter are nearly 17,000,000*l.* per annum; even the poor rates rise higher than the land tax. Hence proceed those trifling game laws, so wisely abolished in France, by which great land-holders appropriate to themselves the common bounties of providence. Evils these which proceed from the construction of the house of commons: which, as well by its structure, as the corruption that

that pervades it, instead of being the palladium of our liberties, is one of the corinthian capitals of the aristocracy: and of which Mr. Burke, justly, though injudiciously for his system, remarks, it is a more subtle, and artificial combination of powers, than people are generally aware of. In short, a government consisting of checks, implies 'an existence of enmity, and a defect of wisdom; or terminating in "inaction and repose," it supposes feebleness, or it means nothing.

To keep a standing army, (that is, a body of men, whose only profession is arms, at the direction of the prince,) to keep, I say, a standing army in time of peace, forms a present part of british policy. In governments strictly despotical, an armed force is necessary, not merely to oppose foreign enemies, but to suppress that impulse, which is wont to disobey orders. The wisdom of moderate governments consists in making soldiers of citizens: it was the general practice of the free states of antiquity.

It was provided by Lycurgus, that people should be continued in military exercises, not only to puberty, but even till they were capable of the highest civil offices^b. They were, indeed, nothing but soldiers (this was the defect); but they formed the most determined soldiers in the world. The other grecian states ordered their citizens to war, but beyond a certain age did not keep them in regular exercise. Arms was a leading article in the education of a Roman. Men unacquainted with the art of war were not qualified for civil offices^c. Among the Saxons all freemen, and all who possessed allodial estates in France, even before the feudal tenures made such progress, were

^b Xenophon de Lacedæmon. rep.

^c Ibid. c. 4.

obliged to defend their country in the use of arms^k. In America, their soldiers are citizens, who in time of peace return to the mass of citizens. In France none are electors who are not on the list of the national guards. All inhabitants are considered in Poland as natural defenders of their country; they have, indeed, an army, an extract, so their constitution calls it, of defensive regular force, from the general mass of national strength.

To shew what citizens, taught the use of arms, will do, I cannot forbear taking notice, that the Americans in the beginning of their struggle had no standing army; their military regulations being carried on by their militia. They had been accustomed from their earliest infancy to be enrolled in companies, and taught the art of war. They were not in possession of even a single ship of war, nor one armed-sloop^l. A handful of citizen soldiers withstood the whole weight of the persian monarchy. A body of unarmed citizens, though surrounded with 30,000 soldiers, destroyed the bastile.

The evils, connected with a standing army in time of peace, are many. It augments the power of the crown; taxes are imposed on the community to pay soldiers; additional burdens fall on those towns where they are quartered; the armed force may be called to assist the will of the prince, sometimes the sanctions of the legislature. Accustomed to idleness, a soldier by profession grows base in his morals, and corrupts others. He fights for hire. His spirit is that of a mercenary and a slave, not the impulse of freedom, or humanity.

It was necessary for William the Norman to have a standing army. Why? To keep the spirit of the nation

^k Clarke on the connection of roman, saxon, and english coins, p. 440.

^l Ramsay's hist. of the american revolution, vol. 1. p. 191. 197.

from rising^m. But from the time of Richard II. to that of Charles II. there was no regular standing army. In the most illustrious eras of our history, exploits the most renowned were conducted when England had no standing army. A military establishment was formed into a regular system, after various struggles and artifices almost infinite, by one of our most arbitrary princes, and in a thousand instances hath oppressed the nationⁿ.

To the question, What renders a standing army necessary? It is replied, other nations have standing armies. True. And yet at a time when it was believed great part of Europe was combining against France, frenchmen confided principally in national guards, in citizens. On the other hand, Britain's chief alarms have hitherto proceeded from France. But, Have we now any apprehension of an invasion from France? Of a combination of powers against the protestants abroad? Of vast armies to support the claims of a pretender to the english crown^o? On the present system of french politics, those alarms are over. Domestic disorders frequently require the assistance of arms. True. And who so interested in suppressing them as citizens? Who so capable, as citizens practised in arms, and taught obedience to the laws. Are we not moreover, as an island, guarded, as it were, by the ocean? have we not the best navy in Europe? What then renders a standing army necessary in England? Custom, the tyranny of custom. We make a parade with our standing army, and yet so wretched, in many instances, is our internal police, that a lawless rabble shall burn down our houses without interruption.

^m Hume's hist. of England, vol. 2.

ⁿ Short hist. of standing armies, published.

^o See a reply to short hist. of standing armies.

Socrates observed, that pleasure and pain hang from the same branch. Thus in governments not impartially formed, nor scientifically organized: Evils follow close upon improvements; and the struggles for freedom may produce oppression. So it fared with the free states of antiquity,—thrown together as they were by contingencies, or at random, rather than raised on a basis of political knowledge. Such too has been the fortune of european governments, part of whose liberties at least, on the principles by which they now hold them, proceeded from the liberality of princes or military chiefs, rather than from the unadulterated claims of a sovereign people, the invariable rights of human nature, and the exercise of legislative intellect, expressing the public mind.

With respect to England, at the conquest so called, the people rise into consideration, yet give an additional weight to the crown. At the union of the two roses, the splendour of aristocracy is sullied, but the monarch becomes more conspicuous. Even religion has been made subservient to oppression. At the reformation the pope is dethroned, but the prince appears as defender of the faith, and the rays of majesty become more awful. In Charles II. reign, many feudal claims are abolished, but a military establishment is formed into a system. Even at that complete era of british liberty, the revolution, the elective powers of the people are restrained by the legislature itself. A system is formed for accumulating a national debt, and posterity brought under contribution to supply present emergencies. In queen Anne's reign follows the qualifying act, then succeeds the law for triennial parliaments, and in George the first's reign for septennial. So that liberty, while she seemed to be advancing on us with a full orb, hath, in some instances, been thrown under an eclipse.

and

and even obscured by acts of parliament, so as to have given rise to a fear in some, that the english constitution may die at last of an act of parliament ^p.

The original ostensible reason for the continuance of the same parliament might be such, perhaps, as to excite no apprehension at first. The fear of granting too long a period between one parliament and another, or of suffering the prince to govern without any, might appear plausible 'pretexts for such a provision', but the evil connected with it is now too obvious to escape the notice of politicians. For not only has the influence of the crown been thereby increased directly, but by suspending the elective powers of the people, delegates have been placed at too great a remove from their constituents, and acquire independence. Nor are we to consider merely the duration of a single parliament, sufficient of itself to produce infinite mischiefs, but that influence, which representatives are enabled thereby to acquire, so as to get re-elected: by which means "the national assembly becomes a kind of standing senate, and their representative character, if not wholly destroyed, is greatly impaired ^r."

When we speak of the independence of the house of commons, it is spoken in reference to the crown, and the house of hereditary legislators. And here an unlimited independence should be asserted and maintained. But it exists, I fear, only in theory. For a government by parties (such as England is at present) insensibly composes one body, and forms at length one interest. But if representatives are independent of their constituents, if there is no legal mean of making a representative character responsible,

^p Historical Essay on the eng. constitution.

^q Montesquieu, l. 2. c. 6.

^r Millar's Hist. view of the eng. gov. p. 521.

if constituents have no other remedy, except that of not choosing the same men again to office; the independence of parliament may enslave the nation; and the remedy can not be applied, till the evil is past^s.

Some states have endeavoured to provide against this evil in their political institutions. The state of Pennsylvania have their council of censors, appointed every seven years, who are to examine whether the constitution has been preserved, and the representatives preserved due limits^t. One of the fundamental institutions of Maryland is thus expressed, that for redress of grievances, and for amending, strengthening, and preserving the laws, the legislature ought to be frequently convened. The general council of Geneva, the council of the people, once had their extraordinary council, which met every five years, for the same purpose. The senate and grand council knew it impossible to destroy the liberties of the Genevese, till this council was abolished. They accordingly got it abolished^u.

There are not wanting writers who have proposed remedies against our political disorders. The principal have been the revival of annual parliaments, and the establishment of a fair and equal representation^w, which has been called establishing the constitution upon its old foundation: with what justice I shall not stay to inquire. A government, however, thus formed, could never be very corrupt.

“ If the laws of Latium, and feudal manners, are not fit for Europe; if from one extremity of Europe to the other a voice is heard,” bearing this important testimony, England

^s See Lectures on political principles, &c. by the Rev. David Williams.

^t Ramsay's Hist. of America, vol. 1. p. 352.

^u D'Ivernois' Hist. of the constitution and revolutions of Geneva, p. 58.

^w See an hist. Essay on the eng. constitution, ch. 8. printed in 1771.

should

should be taught, that she also hath an interest in this warning voice. She should be taught that her very liberty is yet precarious, and suspended on the edge of contingencies. Yes, she should be taught, that she is not in possession of political liberty. While other nations have been experiencing an entire regeneration, who can deny that England must sooner or later undergo, at least, a political reformation? Can I possibly doubt it? My inquiry necessarily brings me to this conclusion. I see gross particles in our political fabric, which an inquiring nation must soon perceive. I see sophistry in administration, to which an ENLIGHTENED NATION never will submit.

It is an unfortunate circumstance, perhaps, that many of our acts of parliament are so expressed as to have led many to conclude, that our civil institutions admit of no improvement. This, I say, is a misfortune. It is also a deception. One, who generally speaks like a wise man, well remarks, "If it be said, that every nation ought to follow their own constitutions, we are at an end of our controversy; for they ought not to be followed, if they be not rightly made^x." Those states, that have lately felt the impulse of liberty, and whose affairs are now brought to a crisis, would, after all, have left their systems less complete, if they had been misled by a belief, that they had gained perfection: but they acted on that wise maxim of a late able minister of France, that a good government is a chain of improvements. Accordingly, at the close of three legislatures, France hath an assembly of revision^y; Poland an extraordinary constitutional diet every twenty-five years^z. All the states of America are left open to im-

^x Sidney on government.

^y French constitution. Title 7.

^z New constitution of the government of Poland, art. 6.

provement;

provement; and in conformity to their original provision, in their new constitution, at the close of the war material alterations took place^a. England has no provision of this kind.

I cannot avoid observing here, that in order to guard against sentiments, which incline to what has been called the excess of liberty, it is common to produce instances of the disorders incident to republics. But I must beg leave to reply, that the examples produced are of governments never formed on a system, by which alone the public mind is taken, and it is of the excellence of such a system only I am speaking. None of the grecian states, not Rome in its zenith of liberty, was strictly free. And with their cabals, and the ruin, which at length overwhelmed them, I have no concern. Nor did our saxon ancestors enjoy PUBLIC liberty. Their villeins could possess no property, and the character of their slaves was that of the spartan helots. Even their feuds were derived from the policy of the Romans, at the time when they had lost that portion of liberty, which they once enjoyed^b.

Speaking of the petty republics of Italy, Montesquieu exclaims; In what a situation must the poor subject be in such republics^c! and then he enumerates their grievances. But all these republics so called, were, in fact, aristocracies: even at Venice, so frequently spoken of as “a most eminent republic^d,” all their different tribunals are composed of magistrates belonging to the same body of hereditary nobles. The body of the people are not citizens, but inhabitants. There was, indeed, a time when Geneva was a complete republic, or more properly, a pure

^a Ramsay's hist. of the american revolution, vol. 2. p. 341.

^b Du Cange sub voce Feudum. Clarke's Connection of roman, grecian, and saxon coins, p. 445.

^c L'Esprit des Loix, b, 2. c. 6.

^d Maffar.

democracy:

democracy: all the citizens gave their votes in the general assembly personally^c, and Geneva, it may be said, has been subject to such changes and disorders, that it may be called, a city of revolutions. But whence proceeded these disorders? Not from the principles of their constitution, but from the ambition of the magistrates, who overruled them^f.

It is not unusual to speak of the disorders of governments forming, as of governments already established: as if those disorders proceeded from principles inherent in the constitution. This is misnaming things. It is confounding the state of infancy with the state of manhood. But France, amidst circumstances more unfavourable to her progress, is gaining strength, and America is of age, and has already answered for herself.

When I speak of France, would I be thought to express my respect for the french constitution^g? I would. But while I see much to admire, I see something to disapprove: some imperfections, that insinuated themselves contrary to the wishes of the friends to liberty^h, some discordancies, which never can unite. Yet, if I had any reputation at stake, I would rest it on the opinion, that France, though apparently tottering under infirmity, is verging to strength, that the aristocracy is working its own ruin, and that the present convulsions will terminate in a complete republicⁱ.

On

^c D'Ivernois' Hist. of the constitutions and revolutions in Geneva. Introduction, p. 5.

^f Id.

^g Where I have had occasion to refer to the french constitution, I refer to the delineation of it, by Mr. Christie, which is allowed to be accurate.

^h See a judicious and elegant work, entitled, *Vindiciæ gallicæ*, sect. 4. by James Mackintosh, esq.

ⁱ I do not here speak merely from speculation: but through the channel of a gentleman, who is in the way of understanding the efforts and wishes of the two parties

On contemplating the disorders of England, I have omitted mentioning one; but can I forget the burden, by reason of which a nation sighs? The national debt, in its present enormous height, is the fruit of foreign alliances, and of the extravagance of government; its evil consists not merely in the taxes which paying the interest imposes, but in its making any future wants dangerous, and in curbing any efforts for improvements in government.

In speaking on the imperfections of the english government, I have also said nothing in this chapter on the alliance between church and state, having spoken on that in another place^k. But a circumstance occurs to me, which I cannot pass unnoticed. I do not say, because I do not know, that our civil governors, as individuals, had any concern in the late disorders in a large commercial town, or as individuals are responsible for the injuries sustained. This, however, I venture to say, that such as espouse the interest of partial governments, are usually the men, whether preachers or writers, who inflame the popular mind. In this instance they certainly were: and independent of the plea which the dissenters at Birmingham have to urge in compensation for damages, in some respects irreparable, the body at large have to complain of a government unfavourably organized with respect to them. Assuredly the existence of test laws is an enormous evil in

parties in France, and of observing their tendencies. Besides this, while I was intending to insert the above paragraph, I heard a letter read from an english gentleman of quality in France, in which he says, Please to inform Paine that all Paris has read his pamphlet before I have seen it, viz. the second part of the rights of man: this was in the middle of March.

^k These hints on the national debt, and the Birmingham riots, I meant to have introduced in another place, but had mislaid them when that part of the work was printing.

nations: benevolence and justice only reign among equals; the security of individuals is incomplete amid civil incapacities and legal opprobriums. No government that does not preserve the balance of opinions is founded either in justice or wisdom.

Certain gentlemen are pleased to say, there are found among dissenters “intriguing philosophers;” political theologians, “and theological politicians¹,” men dissatisfied, disaffected, designing, restless. Admitted. But let the account be placed to our system of government, and not to the conduct, which that system inspires. I repeat what I have said elsewhere, I am not pleading the cause of the dissenter merely, in this work, but of the citizen and the man. But if under such a government as that of England, there were not among dissenters men of the above description, dissenters would be contemptible pietists, dreaming monks, spiritless slaves, or unmanly sycophants. *Fiat justitia*: or let us blush when we pass encomiums on the english government. Justice alone can promote contentment, awaken confidence, or excite attachment. Justice is the sweet halcyon wind, which assuages ruffled passions, and promotes the calm of society. Let justice reign and suspicion will be unknown. The men, who are always on their guard, studious of innovation, and watchful for the return of the lucky moment, are the oppressed.

No—when I consider the disorders at Birmingham, I bring no direct charge against our civil governors. At the same time, when I consider the enflaming language of persons, clergy as well as laity, of no mean description; the suspicious character of certain “leaders” among the

¹ Mr. Burke's *Reflections* on the french revolution.

rioters; the remissness^m, and I could say more, of the magistrates; the satisfaction expressed by persons, I repeat it, of NO MEAN DESCRIPTION, at the injuries and losses of an enlightened philosopher, and of his friends; in fine, when I consider the character of the person, retained as counsel, and the partial indemnification, that has been made the dissenters; I say, when I consider these unfavourable appearances, I am far from thinking the above disorders were not promoted by men, who supposed themselves complying with the wishes of government.

But I am wandering from my subject. I bring a charge of a nature still more serious. If we call our present arrangement of church and state our constitution, I then charge all the disorders, and all the riots, the sufferings of innocent dissenters, and the executions of unhappy criminals, on the english constitution. If we call these rules, ordained by one party to the oppression of another, our laws, I then charge these disorders on the laws. Let us from principles descend to practice. In our distinctions and disqualifications I perceive the seeds of discontent; in our civil opprobriums and ecclesiastical curses, I see the rising of prejudice, I hear the war-whoop of persecution. I have neither secrets nor fears—all these disorders I charge on the government of England*.

There are, I know, those who impute the origin of these disorders, though I believe unjustly, to a seditious hand-bill. Who was the author I do not stop to inquire. If an enemy to dissenters, as the fabricator of the bill, he was a complete knave. If a friend to liberty, though I should question his prudence, yet I cannot either the found-

^m Dr. Priestley's Appeal to the public on the subject of the riots at Birmingham, p. 34, 60, 70, 71.

* It is my private opinion, that government ought to have answered the damages, rather than the county.

ness of his understanding or the uprightness of his intentions. Drawing now to a close of the political part of my subject, (a part, which has cost me no small degree of reflection,) at a moment, when sadness oppresses my spirits, and the voice of truth might cheer me, I should be pleased to hear that the seditious hand-bill was a string of gross errors, and vile misrepresentations. But if it contain some **SERIOUS TRUTHS**ⁿ, instead of charging people with disaffection, should we not remove its causes? Enmity to government in men who are not enemies to virtue, will always be found to proceed from governing by corruption, or from governing too much. Who were the men, that promoted the disorders at Birmingham, and what was the watch-word of the party?—Words, that amount to, “alliance between church and state*.”

In what I have said of the english constitution, by stating facts, I have kept clear of conjectures; in exhibiting principles, I have, with few exceptions, avoided personalities. Had I been disposed to particularize, I might have illustrated principles by modern practices; by measures impolitically devised, yet irresistibly carried: I might have considered the talents of ministers supported by an invincible majority, defeating every feeble effort of a minority, though engaged on the side of liberty, and strengthened by distinguished abilities: I might have hinted at the increase of this majority since the last session. And, on the whole, I might have inferred the impossibility of gaining the sense of the

ⁿ In regard to the clause, “the crown of a certain great personage is becoming every day too weighty for the head that wears it; too weighty for the people who gave it, &c.,” if it relate to the king personally, I say nothing about it; if it relate to the influence of the crown, it says nothing more than a serious fact, nothing more, than what Mr. Burke said several years ago in the house of commons.

* See Dr. Priestley's Appeal, &c.

nation from a HOUSE OF COMMONS, and the prudence of those who are for getting the sense of the people from the people themselves. And the practicability of this mode of procedure may be seen in the numerous petitions drawn up on the slave trade; and that there is a time when the sense of the nation must over-rule ministerial councils, may be learned from the Russia business.

After all, that what are called the fundamental principles of the british constitution, are excellencies, I willingly admit. I have even reasoned from them. Nations the most enlightened have adopted them. I am no cynic, soured with the gall of speculation, or swollen with the pride of opinion: no stranger to the milk of philanthropy. I am a lover of my country, though possessed only of a generous wish, which I leave at its service, expressed with a sigh, and a tear. I am no political reformer, but an inquirer after truth, truth frequently concealed amid the struggles of parties, and the imminency of objects, which engage people, who fill public departments.

On the whole, generous reader, if when I speak on the excellencies of the english constitution, you should say, these excellencies exist not, or at least they cannot exert themselves, I would reply, if real defects may consist with ideal excellencies, ideal excellencies will afford data for reasonable discussion. On these data I have reasoned. Are you a Briton? I have addressed you as a friend to liberty.

P A R T IV.

CHAP. I.

HOW FAR SUBSCRIPTION IS CONSISTENT WITH THE
DOCTRINES AND PRECEPTS OF CHRISTIANITY.

WHETHER, then, we consider the nature of subscription, as men, as philosophers, or as britons, we may pronounce it a serious evil; connected with difficulties far more considerable than some would have us believe. The harmony of civil society, the improvement of the human understanding, and the honour of the british government, are all affected by it. I proceed to inquire, How far it is consistent with the doctrines and precepts of christianity?

In affirming what is truth, and what is error, where different conclusions are drawn from the same revelation, modesty, I confess, may be expected. Inquiry must not use the tone of decision, nor place itself in the chair of infallibility. At the same time, one side only of a question can be true. As a protestant, therefore, I inquire, on what side that truth lies? and as a protestant, who has no fears in discovering truth, and no interest in concealing it, I shall deliver what, after all, is but "private judgment."

But should any body say, Sir, you are a heretic; I would reply, Sir, your church is not infallible. Should any one say, Sir, you are a deceiver; I would reply, Sir, I never unlocked my heart to you: but I who keep the key, know I am sincere. Thou wise and good Being, who hast visited the nations with the most gracious discoveries, may we attend to the voice of thy Son! May a sacred regard to truth, and the purest considerations of benevolence, possess every christian inquirer!

That the doctrines of christianity have been misrepresented, is no very modern opinion. It has been the judgment of some of the most learned, pious, and disinterested men, as well of the church of England, as of the dissenters. Does any body ask, How can these things be? What follows will throw some light on the question. Before the invention of printing, the numerous transcribers of the scriptures would, sometimes, necessarily make mistakes: the manuscripts, also, from whence the first printed copies were taken, were neither the most ancient, nor the most correct. In order to make the greek version correspond to the hebrew and vulgate, these manuscripts also were sometimes not strictly adhered to; and our version was taken from a copy liable to all these objections^a. Since our version was made, more ancient manuscripts, and more nearly approaching the autograph of the Prophets and Apostles, than the preceding, have come to light, which prove, that many errors had crept into the most

^a Magna aliquando libertate hi editores (Camplutenfes) usi sunt. Lamberti Bos Prolegomena ad LXX. cap. 2. Vid. etiam Wetsteinii Prolegomena ad novum Testamentum. Quod vero dixi, habuisse aec codices græcos non quidem illos veteres, sed juniores, id iustituta collatione liquido perspexi, editionem nimirum complutensem cum MSS codicibus sæculi xiv, xv. & xvi. ubique contra OMNES VETERES, contra PATRES, et contra conversiones antiquas facere, p. 118.

ancient copies ^b. Moreover, in our version many things appear emphatical, which in the originals have no emphasis: many absurd doctrines have received their origin from idioms of language, and been erected on eastern metaphors. It must be added, that the ill-judged policy of the early christians, the ignorance of the monkish ages, the pious frauds of interested ecclesiastics, the imperfect reformation, that was made from very gross corruptions, the tendency, which the bulk of mankind are wont to have to the marvellous and incomprehensible, have laid the foundation of popular errors. So that the most learned investigators of theology bear a joint testimony, that a NEW TRANSLATION of the holy scriptures is a work, which our great improvements in sacred literature most loudly call for ^c.

CHAP. II.

ON THE TRINITY.

THE first article relates to the trinity; a term, as is on all sides allowed, not found in the scriptures. Suspicions, therefore, have arisen in the minds of some thinking men in regard to the doctrine: suspicions, which have increased by every attempt of the contrary party to remove them.

It is allowed by Eusebius, that the Ebionites, called also Nazarenes, from Jesus of Nazareth, that is, the first jewish converts to christianity, thought that Christ was

^b Kennicott's Introduction to the state of the printed hebrew text of the old testament considered, vol. 2.

^c Kennicott, Lowth, Symonds, Wakefield, &c.

only a man^a. This also was the opinion of those called Alogi by Epiphanius^b, that is, the first gentile converts. There is reason also to believe that this was likewise the opinion of those religious persons and philosophers (ασκητοι) that resided in Egypt, of whom Philo makes mention, not merely as having seen them, but as highly approving them: nor does he say any thing from whence it can be inferred, that they held different notions of God^c from himself^d. Of which, amidst all the other peculiarities which he notices, he would most assuredly have made mention, if any such peculiarities had really existed. If, therefore, these early worshippers adored one God, without the complex idea of a trinity, an inquirer would naturally suspect, even if no gospel was left, that this was the doctrine of Christ and his apostles. It is not pretended that the term occurs till the time of Justin Martyr: and the treatise, where it is mentioned, is evidently spurious, it being contradicted by the general tenour of his writings^e; nor is it mentioned by Eusebius and Jerome, though both reckon up the books written by Justin^f. As I shall, here-

^a Λιτον μὲν γὰρ αὐτὸν καὶ κοῖνον ἡνῆτο, κατὰ προκοπὴν ἡθὺς αὐτοῦ μόνον ἀνθρώπων διδικαιομένων, ἐξ ἀνδρὸς τε κοινῶν καὶ τῆς Μαρίας γεγεννημένων. Eusebius, lib. 3. cap. 27.

^b Called so improperly by Epiphanius, as Dr. Priestley, after Dr. Lardner, observes. Hist. of the corruptions of christianity, vol. 1. p. 14.

^c I am aware of what Philo says of the λογος, and only intimate here that Θεος in Philo always stands for one person.

^d Περὶ Βίου Θεωρητικῶν. opera Philonis. Philo's opinion concerning God I shall remark presently. On what grounds I called these Alogics christians, in the former edition, see Eusebius Hist. ecclesiast. l. 2. 15, 16. They were, however, most probably Jews, a class of the Essenes. See on this subject an elegant and learned work, The Hist. of philosophy from Brucker, by Dr Endfield, vol. 2. 184, 185, 186.

^e Εὐθέσις Πιστεως πρὸς τῆς ἁγίας καὶ ἐμοῦσι τῆς αὐτοῦ, compared with his dialogue with Trypho.

^f Mr. Biddle.

after

after, state the opinions of a few of the more early fathers concerning Christ and the holy spirit, and endeavour to shew how they came to be deified, I shall only observe here, that the proper orthodox doctrine, contained in this article, of the co-equality and co-eternity of three divine persons, was not settled till after the council of Nice, in the middle of the fourth century. The truth of which remark is acknowledged by the most zealous advocates for the trinity, who have been conversant with the writings of the fathers of the three first centuries.

And when the doctrine began to spread, there were always men, on whom it could not sit easy. Notwithstanding the decisions of four general councils, the trinity was the knotty doctrine at which heretics stood aghast! Two more councils were found necessary to establish it; but being at length enforced by human authority, it became sufficient to let christian people know, it was a mystery!

Without entering into the controversy about numerical, and individual unity, and separate, and distinct personality, *ομοουσιος*, and *ομοιουσιος*, which divided the first christians, I have sometimes paused; and dropping the subtle distinctions of schoolmen, and the metaphysical refinements of divines, I have called in the assistance of common sense. Common sense made nothing more of one person, than one thinking intelligent agent, as Paul; nor of three persons, than three such intelligent persons, as Paul, James, Peter. Common sense being silent respecting such an extraordinary union, as makes three persons one being, except a union of design, of sentiment, or of affection, I have been unwilling to put it to the rack; and retired; only asking the question, How can these things be?

* See their confessions at large in Mr. Whitton's letter to the earl of Nottingham.

Where common sense is silent, theology is frequently loquacious. Theology says, that we know not the essence of any thing, and least of all, of God; that the afore-said reasoning, though inapplicable to men, may, for aught we know, apply to God. Indeed, ancient fathers, and modern divines say, The notion may be collected from nature. The sun, the ocean, and trees, have preached the doctrine of a trinity in unity. In sculpture, in painting, and in music, wonderful harmonies have been found to illustrate a trinity in unity.

Theology says, that she finds something analogous to this doctrine in the history of mankind. The divine Plato had his bonum, a boni filius, and an anima mundi, as had many of his disciples, going even beyond their master. Orpheus had his Phanes, Uranus; Chronus his *τριμορφος Θεον* *. The Magi among the Persians, had their Oromasdes, their Mithras, and their Arimanes, Mithras or Oromasdes *Τριπλασιος* ^h.

Παντι γαρ εν κοσμω λαμπει Τριας, ης Μονας αρχει.

It were surely an endless labour to search for a trinity in unity, in the pagan mythology. A learned writer hath endeavoured to shew, and I think has made it appear very probable, that the most ancient idolaters worshipped one God, the sun, the God of fire, known among them by different names ⁱ. As to Plato, what an air of mystery is conspicuous in his writings is well known. If he collected any new idea, in foreign countries, it was natural for him to accommodate it to his favourite notions. This, however, will not satisfy theology. We are told, that the Jews having been in captivity in Egypt, left behind them

* Suidas has it *Θαλυσ, φως, ζωνν*. Orpheus.

^h Vid. Alsted. Encyclop. Pars Pneumatic. 1. c. 5. r. 9. Cudworth's intellectual system, 1. 1. c. iv. 238, &c.

ⁱ Bryant's Mythology, vol. 1. Radicals. Titles of the deity.

the doctrine of a trinity^{*} : that the Egyptians treasured it up among their sacred mysteries, delivering it out only on extraordinary occasions : that, however, at length, it stole out from among them, and enlightened, by degrees, the Persians, and, in short, the whole eastern world. Plato, travelling into Egypt, and being initiated into the mysteries of that country, brought this *rara avis*, it is said, into Greece, and blessed his countrymen with it. Theology triumphs in the discovery, and says, common sense has nothing to do in the inquiry. It is a notion to be collected from revelation, being first revealed to the jews, who afterwards enlightened the gentiles.—Before a doctrine, so far above the common sense of mankind, is admitted on the authority of revelation, an inquirer should ask, Whether, indeed, it be a doctrine of revelation at all?

The hebrew names for God are all expressive of the highest reverence for him, or of some perfection of his character^k. Some suppose they contain the doctrine of a trinity in unity. But of these two schemes of derivation, it is to be observed, that the first naturally flows from roots, agreeably to the hebrew idiom ; the last from letters, which depend on fancy. The former is allowed by jews, who had no interest in the inquiry ; the latter made by christians, who had a system to serve.

Is it not extraordinary, that if a trinity in unity were to be found in the jewish scriptures, that Josephus in his history of the jews, and particularly in the account of the creation, as described by Moses, should say nothing about it? Yet he certainly does not. Philo judæus also preserves the same profound silence. The septuagint version of the

^{*} Cudworth's Intellectual system, l. i. c. 4.

^k Every thing that can be advanced in favour of a trinity in unity, from Elohim, see fully answered in Mr. Coulthurst's blunders exposed, No. 4. By Mr. Friend: a book rough as to its title, but solid as to its contents ; and Mr. Wakefield's Enquiry into the opinions of the early christian writers. Introduction, p. 7, 8.

old testament, made by jews, has no term expressive of a trinity in unity. Can we suppose, that these eminent jews did not understand their own scriptures¹?

“God said, let us make man”—is the language of majesty, deliberating on the creation of man, the last and noblest of the productions of creative wisdom^m. “The man is become as one of us, knowing good and evil,” was supposed by Philo, Maimonides, and the Jews in general, to be spoken to the angelsⁿ. The learned and excellent Abauzit

¹ Josephus's term for God, is, ο Θεός, or Θεοῦ. Remarkable are these words of Josephus. Παρ' ἡμῖν γὰρ ὡς περὶ τοῦ Θεοῦ λόγος ἀκούσεται τις ἀλλήλοις κατεναντίως — Εἰς δὲ λέγει οὐκ συμφανὲς περὶ Θεοῦ — Εἰς ναὸν ἱνὲς Θεοῦ. Contra Appion. l. 2. Philo's words are no less remarkable; recapitulating the substance of his book περὶ Μωϋσ. Κοσμοποιοί. he closes thus, ὅτι τέ ἐστι, καὶ ὑπαρχεῖ Θεός, καὶ ὅτι Εἰς ὄντως ἐστὶ, καὶ ὅτι πεποίηκε τὸν κόσμον, καὶ πεποίηκεν αἱ ἑνὰ, ὡς ἐλεχθῇ, κατὰ τὴν μονῶσιν ἐξομοιωσάς ἑαυτῶν. When God had it in contemplation to create the visible world, in conformity to that incorporeal exemplar which he had formed in his own mind, (I here speak according to the ideas of Philo) he took no counsellor, he says, but himself alone, for what other was there? Τίς γὰρ ἦν ἕτερος: Philonis op. p. 4, 5. ed. Mangey. He observes, indeed, in another place, p. 16. that when God said, Let us make man, he took others to assist him. He thought by this mean to account for the introduction of moral evil. But then to avoid the appearance of contradiction, he had guarded against objections by speaking of the supreme being, as the Demiourgos, and his many assistants, as Demiourgoi, only in a certain sense, ἀσάνει πλείοσιν. He afterwards speaks of God, as ο πάντων ἐγερῶν and of the angels, (ὡς ἀντιεργούς, his assistants in a certain sense) as the ἕτεροι ὑπηκοοί, the others who were subject to him, p. 16. ut sup. When the fathers supposed, that God addressed Christ, when he says, Let us make man, they opposed the common sentiments of the Jews. For as Philo and Maimonides made it refer to angels, others supposed that God only used the style of majesty.

^m Several of the early christian writers, Barnabas, Justin Martyr, Irenæus, Eusebius, and others, have quoted this passage as if addressed to Christ; but Clement, whose authority weighs down all theirs, in his Epist. to the Corinthians, refers it to the Supreme Being. Οὕτω γὰρ φησὶν ὁ Θεός· Ποιησώμεν ἄνθρωπον κατ' εἰκόνα, καὶ καθ' ὁμοιωσιν ἡμετέραν. Καὶ ἐποίησεν ὁ Θεός· τὸν ἄνθρωπον. Epist. ad Cor. 33.

ⁿ Mr. Wakefield remarks, that the Targum of Jonathan Ben Uzziel paraphrases the former of these passages thus, “And Jehovah said to the angels, who minister before

Abauzit translates *mimennu*, which we turn "of us," from it, and then the passage will read, Behold! The man is by it (that is the tree of knowledge) become as one of those who know good and evil, that is, to know good and evil. The word evidently admits this interpretation, and occurs five times in this chapter, where it is translated of it, and in the 11th and 17th verses it clearly refers to the tree of knowledge. The passage thus translated will stand in beautiful contrast to what follows, "the man by eating the tree of knowledge is come to know good from evil; but now he must be prevented from putting forth his hand, lest he also take of the tree of life, and eat of it, and live for ever." The chaldee paraphrase, more ancient than the new testament, so interprets *mimennu* ^P."

I therefore incline to think with some learned trinitarians, that if we take the old testament without the new, it will not be easy to prove this article from it ⁹. What light then does the new testament throw upon a trinity in unity?

The Jews, who conversed with our Lord, seem unacquainted with it. Can any thing be more express on the unity of God, than what our Lord says, when quoting the old testament? "Hear, O Israel, Jehovah our God, Jehovah is one!" If a jew found no trinity under that term, Is it probable our Lord did? He gives no intimation,

before him," and Gen. xi. 7. thus, "Come, said Jehovah to the seventy angels, who stand before him:" and Gen. iii. 22, is paraphrased thus, "And the Lord God said to the angels, who were ministering before him, Behold! Adam," &c. Wakefield's Inquiry, &c. introduction, p. 9, 10.

^o Abauzit's Miscellanies, p. 113. Live for ages, Geddes.

^p Gen. i. 26.—iii. 22.

¹ Burnet on the 39 Articles. Dr. Geddes has made the same concession with respect to the divinity of Christ. See Dr. Priestley's first letter to the Rev. Dr. Geddes.

that he understands it in a different sense from that of the Jews. Had there been any such distinction, as the trinitarians contend for in Eloheim or Jehovah, Is it not probable, that our Lord would have noticed it? The question is put in a direct and solemn manner by a jew appealing to the jewish scriptures, the terms of which he knew, but wants to hear Christ's interpretation. Our Lord, himself a jew, answers with no less precision and solemnity. "Thou shalt love Jehovah thy God," intimating, that the command was so plain and popular, as to need no explanation^r. He could make it no plainer.

On no subject whatever is our Lord more explicit, than on the unity of God. Nor can I find one passage in the four gospels, which gives countenance to the doctrine of a trinity. A famous trinitarian^s, indeed, has said, that the baptismal form has been the means of preserving the doctrine of the trinity. But a few remarks, which I shall make on the person of Christ, and on the Spirit, will render this doubtful, even admitting the authenticity of the baptismal form. Indeed, the doctrine of the proper unity of God is so natural, that the heathens, amid gross idolatries, did by no means overlook it^t.

It has been ingenuous in many expositors (though called trinitarians) to lay little or no stress on the three witnesses^u; There are three, that bear record in heaven, the Father, the word, and the Holy spirit, and these three are one^w. This passage hath, indeed, all the appearance of an interpolation. It evidently destroys the connection; and is now

^r Mar. xii. 29, 30.

^s Dr. Waterland.

^t The Platonics (notwithstanding their mysticism) called God the *μονας*, the unity. The ancients, amidst all their idolatries always had their "opifex rerum," their "mundi melioris origo." See this subject discussed by the learned Cudworth, *Intellectual system*, l. i. c. 4. § 16, 17, 18.

^u Dr. Doddridge in loco. See other examples in Mr. Porson's second letter to Mr. Archdeacon Travis.

^w John v. 7.

sufficiently

sufficiently known to have had no place in the genuine epistle of the apostle John. It is in no ancient greek manuscript, nor in any of the ancient versions². The former part of the first article, therefore, There is one living and true God, is a truth which I think I perceive in the gospel; as to the unity of the godhead in three persons, I leave it; it is a mystery. I know nothing about it

CHAP. III.

ARTICLE II. OF THE WORD, OR SON OF GOD THAT WAS MADE VERY MAN.

“THE Son, which is the word of God, the Father, begotten from everlasting of the Father, the very and eternal God, of one substance with the Father, took man’s nature in the womb of the blessed virgin, of her substance; so that two whole, and perfect natures, that is, the Godhead and the manhood were joined together in one person, never to be divided, whereof is one Christ, very God and very man, who truly suffered, was dead, and buried, to reconcile his Father to us, and to be a sacrifice not only for original guilt, but also for the actual sins of mankind.” Is it not enough to create suspicions in the most credulous breast, to hear, that it was the current opinion for the

² Sir Isaac Newton’s Letter on this subject, and Mr. Capel Loft’s Observations on the first part of Dr. Knowles’s testimonies from the writers of the four first centuries.—Addiderunt integrum versiculum 7 non ex auctoritate alicujus codicis græci, sed pseudo.—Hieronymi et Thomæ Aquinatis. Wetsteinii Prolegomena, p. 119. The inauthenticity of this text has been lately established on an historical deduction of facts, never, I apprehend, to be confuted. See Mr. Porson’s Letters to Mr. Archdeacon Travis.

first 300 years of the christian era, that the Father alone was without a beginning! The present article contains what we now call athanasian doctrine, which maintains, that Christ was co-equal, and co-eternal with the Father. Waving all nice distinctions, I ask three plain questions.

1. Are not God and Christ described in the gospel, as two persons? By person, I mean what people do in common conversation, a thinking conscious being. I then proceed to ask, What constitutes me now, while in a room at Cambridge, the same person I was, when in London? A consciousness of my own existence; a consciousness of certain thoughts, and actions, which I at that time pursued. In this way then I ask, Whether God and Christ are not two persons? Now, consciousness being evidence of existence only to ourselves, by ourselves only could this question be answered. But Christ never telling me that he is the same being as God, Why should I conclude, he is?

Our Lord's assertion, "Before Abraham was, I am," has been, sometimes, produced in proof, that Christ is God. Yet the expression occurs frequently in the new testament, where it cannot have that sense. Besides, by examining the context, it appears, that Christ is speaking of the doctrine, which he taught, and that Abraham, and the prophets, are set in opposition to him. Our Lord's meaning, therefore is, before Abraham existed, the Messiah was promised, and his œconomy foretold^a. The expression relates most probably to what our Lord had said, ver. 12. I am the light of the world, *εγω ειμι το φως του κοσμου*^b.

The expression, *εγω ειμι*, I am, is an elliptical expression, for I am he, that is, the Messiah, or the son of God, and

^a John viii. 58.

^b See Mr. Lindsey's sec. address to the students of Oxford and Cambridge, &c. p. 71.

always relates to some subject under discussion. See John c. iv. 25, 26. The woman saith to him, "We know that the messias will come, who is called the Christ," &c. Jesus saith to her, "I who speak to thee, am he," *Εγω ειμι ο λαλων*. So again, chap. viii. 24. "If ye believe not, that I am (*εγω ειμι*;) where our translators turn it as it ought to have been translated here, "I am he." See also chap. ix. 9. But he (the blind man) said, I am he, *εγω ειμι*, exactly the same form of expression, and many similar expressions will occur to an attentive reader of this gospel. The "I am," then, has no reference whatever to Exod. iii. 14. The phrase of Paul, I am what I am, *ειμι ο ειμι*, approaches it more nearly, 1 Cor. xv. 10. But here I cannot deny myself the pleasure of transcribing the following judicious remark of the very learned and indefatigable Mr. Wakefield. No text of scripture was ever more perverted by a wrong translation, than this in Exodus. The original hebrew stands thus, I will be, who I will be^c; or perhaps, more properly, I will be what I am, a form of words expressive of the eternal existence, and unalterable nature of Jehovah. The LXX do not represent the phrase amiss by, "I am" the existing or he who exists^d, that is, I am—Jehovah, the living God. And afterwards they have not—I am^e—but the existing^f hath sent me.—To make, therefore, the I am of the evangelist, a reference to this passage of the pentateuch, is a most idle fancy, unsupported by the original, and, what is more to the purpose, by the Septuagint^g." I AM, then, is, by no means a name even of Jehovah^h."

* אֲהִיָּה אֲשֶׁר אֲהִיָּה.

^d *Εγω ειμι ο ων*.

^e *Εγω ειμι*.

^f ο ον.

^g An Enquiry into the opinions of the three first centuries concerning Christ.

^h Dr. Geddes turns it, I will be what I will be—and afterwards, he that will be hath sent me.

Similar conclusions have been drawn from our Lord's assertion, I and the Father are oneⁱ. But does not our Lord explain these words himself? that they (his disciples) may be one, even as we are one. The apostles were not of the same substance with Christ. Indeed the word explains itself: for it is not one being (*εἷς*,) but (*εἷς*)^k one thing, that is of one judgment, a form of expression, common to most languages. And thus the ancient fathers understood it.

As consciousness is proof only to a person's self of identity, other proofs must give evidence to different people, such as sameness of name, of property, of figure, &c. Jesus Christ appeals to God by name; but never calls himself by the same name. He prays to God; but does he ever pray to himself? It is the property of God to be omniscient; not so of Christ. God is invisible: no man hath seen God at any time. But Christ was a visible being—was seen at Bethlehem—at Nazareth, at Capernaum. God is an uncreated being; but Christ was born at Bethlehem. What says common sense?

ⁱ John x. 30. compared with John xvii. 11, &c.

^k The following expressions will explain our Lord's meaning. That they may all speak the same thing*: that there be no division among them; that they be perfectly joined together in the same mind, and the same judgment. Elsewhere, we read of their being of one spirit, and one mind†. Christians are said to be, one body, one spirit, one body in Christ‡. Two are one, says Pseudo-Clement, when one speaks truth to the other, and when in two bodies, there is without dissembling one soul. 2d Epist. ad Corinth.—He that planteth, and he that watereth, are one (*εἷς*,) an expression exactly parallel to the above §. I quote the second Epistle ascribed by some to Clement, merely by way of illustration, not as authority. It is clearly spurious. Eusebius, in his first book, speaks only of one Epistle of Clement, and though he speaks elsewhere, from report, of another, he does not speak of it, as having seen it.

* 1 Cor. i. 10.

† Phil. i. 27.

‡ Rom. xii. 5.

§ 1 Cor. xiii. 8.

Nothing

Nothing proves this point to me more clearly, than the passages brought to prove the contrary. Christ is called an image of the invisible God, an expression of his perfections¹. I say, therefore, he is not the same person. God made man in his image, after his likeness, therefore Adam could not be the same person as God. Christians are said to be conformed to the image of Christ^m, to bear the image of the earthly and the heavenly man. Being in the form, therefore, means, being in the resemblance of; and this is its meaning in Philo Judæus, and Clemens Romanusⁿ. Being in the form of God cannot mean being really God, except being in the form of a servant means being a real servant, which Christ was not, though by his condescension he appeared under that character^o, making himself the servant of all. That Christ, therefore, in the sense of our article is one substance with the Father, or that the Godhead and manhood are one person, I cannot admit.

2. Of these two different beings, Is not one superior to the other? My Father, says Christ, is greater than I. And whatever son may mean, common sense says, that the Father is greater than the son. And, indeed, Does it

¹ Col. i. 15. Heb. i. 3.

^m Rom. viii. 29. 1 Cor. xv. 48.

ⁿ Solent Græci distinguere τα κατ' ἐμφασιν, και τα κατ' ὑποστασιν, ut scriptor de Mundo. Sic Philo in ejusdem tituli libro, αὕτη δὲ καθ' ἑαυτὴν ὑποστασιν οὐκ ἔχει, non quod nullam habeat ὑπαρξιν, sed quod principalitas et origo ejus sit in sole. Sic in annulo figura est καθ' ὑποστασιν in cera κατ' ἐμφασιν. Ita potentia, justitia, veritas, in Deo, Christi patre, sunt primario; in Christo vero secundo, sed ita, ut nobis in Christo ea evidenter appareant. Grotius in Heb. i. 3. Clemens Romanus speaks of man as τῆς αὐτῆς (nempe Θεοῦ) εἰκονὸς χαρακτῆρα. Clement. Epist. 1. ad Corinth. 33. Philo, and others, frequently use the same expression; but did either of them believe man to be one substance with God?

^o Hermas, l. 3. sim. 5. § 6.

not appear, that Jehovah is greater than Christ, by a priority of existence^p? By a superiority of wisdom^q? By an essential and independent goodness^r? By a power unlimited in its exertions^s, and endless in its duration^t? Whereas, Christ received every thing from his Father^u; and though as head of the new creation^w he hath a name above every name, and all principalities and powers, in the revolution of years, must submit to his dominion, yet the time is coming, when having brought the nations to subjection, agreeably to the end of his exaltation, he must, after his mediatorial kingdom, become subject to his Father, and God be ALL in ALL^x.

Whatever high opinions the ancient fathers entertained of Christ, and whatever sense they might put on the *λογος*, the word of God, it should be noted, that they bear a uniform testimony, from the earliest of them to the time of Eusebius, (and few speak of it more highly than Eusebius himself^y) that the Father alone was uncreated: the most orthodox held the word to be the first begotten of God. At the council of Nice he was only called *Θεος εκ Θεου*, God of God, not *αυτοθεος*, very God. As the term son is expressive of inferiority, so also it should be further observed, that “in the jewish style, and the language of

^p Gen. i. Luke i.

^q Mat. xxiv. 36.

^r 19. 17.

^s — 26.

^t 1 Cor. xv. 24.

^u John xiv. 10.

^w See two Discourses on the creation of all things, by Jesus Christ, and the resurrection of the dead, by the Man Christ Jesus. By Mr. Tyrwhitt of Jesus College. The view of the creation of all things, as clearly and judiciously proved, in the first of these discourses, to relate to our justification, sanctification, or redemption, throws important light on the new testament.

In what sense Christ is called *אל נברר*, Isai. ix. 6, or the Mighty God, See Coulthurst's blunders exposed. No. 1.

^x 1 Cor. xv. 28. See Wakefield in loco.

^y — ο πρωτογονος, και πρωτοτοκος της Θεου, και αυτοθεος ο γενων λογος. Euseb. hist. l. i. c. 2.

scripture,

Scripture, all good men, and all people, who are in a covenant relation to God, are his sons, and entitled to many blessings and privileges: but Jesus as the Messiah is the son of God, by way of distinction." Vid. Exod. iv. 22, 23. Jer. xxxi. 9. 2 Cor. vi. 18. John i. 12. Rom. i. 3, 4². The Son of God, is the same as Messiah, and therefore expresses the office, which he bears, and not his nature. He who sends a messenger is supposed to be greater than the person sent.

3. Upon further inquiry, it appears, that the scriptures not only lay a particular stress on the relation, which Christ bears to God, but on the relation, which he bears to men. As he came to save men, it is express on his being a man. As the children partook of flesh, and blood, that is, were men, not angels, Christ also took part of the same, that is, was a man, Heb. ii. 14. not an angel, or a man in appearance, as the gnostics supposed. He was prophesied of emphatically, as the seed of the woman, Gen. iii. 15. As the root of Jesse, Isa. xi. 10. As a man of sorrows, Isa. liii. 3. Under that character he lived, and died: he also rose from the dead, being now exalted to a rank, which he held not before, Acts ii. 33.—v. 31. The difference, which I find from the scriptures, between Christ, and the rest of mankind, is only this, that he had a greater measure of the spirit of God, a more extensive commission than any preceding prophet, and a more interesting relation to his fellow creatures.

This important doctrine rests not on a few solitary texts for its support, but is connected with the whole system of revelation. The spirit of prophecy bears so uniform a testimony to it, that all the ancient jews expected their Messiah to be a mere man, as do also the mo-

² Lardner on the Logos.

cern a. It is the hinge on which all the leading principles, and important facts of the gospel turn; and if ill-translated texts were rectified, if spurious passages were expunged, and if the style of scripture was better understood, it would appear, I believe, the truth, as it is in Jesus.

The latter part of this article seems true; but only on supposition, that the former part is false. For if “the son, begotten of everlasting of the Father, be the very and eternal God; if very God, and very man be one Christ, never to be divided^b,” it will follow, that Christ could not “suffer, and die,” &c. If it be said, that the human nature only suffered, one half of Christ only suffered: and if so, what becomes of the sacrifice, which, it seems, receives all its importance from the Godhead? Will it be said, that the divine nature suffered? (Which, if very God, and very man, be one Christ, never to be divided, and if Christ died, must be the case;) What, then, shall we say to such expressions, as these, very God died, and was buried, was made a sacrifice? &c.

O! curas hominum, O! quantum est in rebus inane.

How beautiful and well connected is the christian truth! There is one God, and also one man, a mediator between God and men, Christ Jesus, who gave himself a ransom for all. 1 Tim. ii. 5^c.

In justice to this article, I just observe that a figure of speech helps over difficulties, otherwise insuperable. Theo-

^a Το γὰρ λεγέιν σε προὔπαρχειν Θεὸν ὄντα πρὸ τῶν αἰώνων τῷ τῶν Χριστοῦ, εἶτα γεννηθῆναι ἀνθρώπου γενομένου υπομείναι, καὶ ὅτι ἔχ' ἀνθρώπου· ἔξ' ἀνθρώπου, ὁ μόνον παραδοχὸν δοκεῖ μοι εἶναι, ἀλλὰ καὶ μωρόν. Justin Martyr. Dial. cum Tryphon. Jud. On this ground the jew often puzzles the christian philosopher, with whom zeal supplies the place of argument: though he only supposed Christ to be God in a subordinate sense.

^b Article 2.

^c I here adopt Mr. Wakefield's translation, which I think an improvement.

logy first devises one figure of speech, by which two distinct natures make one God; and afterwards another, which applies to the human nature; what belongs to the divine, and to the divine, what belongs to the human^d.

This article appears to me to contain the grand error, which has spread an evil influence over the whole system of christianity. But “seeing it has been adopted by such great numbers of mankind, it is to be considered, as any other fact in history. Dr. Priestley has, therefore, traced its origin and its growth with great skill in his History of the corruptions of christianity^e.

I add a word or two more. Admitting that Christ is called God, in the new testament, it can only refer to the important character, sustained by him, as the creator of a new dispensation. Thus if ο λογος the word (John 1.) be made to relate to the Messiah, it will by no means follow that θεος should be translated the supreme God. The passage, if we apply the λογος to the messiah, will apply to the gospel dispensation, and θεος to the important character, which Christ sustained in it: and from various parts of John’s gospel, (though I would speak with great deference where so many learned men think differently) I cannot help referring this introduction of John’s gospel to the mission of Jesus. However this be, every body knows, that Eloheim (God) in the old testament is applied promiscuously to Jehovah, to angels, to idols, and to magistrates, &c.; and that deus among the Romans, and θεος among the Greeks, had a similar signification: thus Virgil, deus nobis hæc otia fecit—erit ille mihi semper deus;

^d Atque istam quidem duplicis naturæ conjunctionem, quæ in Christo subest, tanta religione exprimunt, ut eas quandoque inter se communicent. Qui tropus *ἰδιωματων κοινα* dictus est. Calvini Institut. l. 2. c. 14. f. 1.

^e Vol. 1.

and Pythagoras, *Αθανατοῦ θεοῦ ἐσση*^f. The LXX. use *Θεός* in the same sense. The distinction between the Creator of the world, the supreme Governor, and Jesus Christ, our lord and master, is observable in the use of the two words, *δεσποτης*, and *κυριῦ*: the former is always applied to Jehovah, in the new testament, and sometimes by the LXX. but never to Christ^g: the latter is applied to both; and this distinction is made by the most early christian writers. *Δημιουργοῦ* and *Δεσποτης* they apply to the Supreme Being only; *Κυριῦ* to Christ, as may be seen at large in Clemens Romanus, and others. Further, Christ is no where in the new testament said to have made the material world (*κοσμον*)^h but only the ages, the different times, or dispensations of religion (*αιωνας*;) with an immediate view to whom they were all constituted. Heb. i. The last clause of the second verse ought to be translated, Through whom also he constituted the ages.

^f See also John x. 34. Acts xii. 22. xxviii. 6.

^g This word occurs but seldom in the new testament, and is always applied to the supreme Being. Luke ii. 29. Acts iv. 24. Jude iv.

The complutensian editors by leaving but the second *και* (one proof, among many others, of their inaccuracy) applied *δεσποτην* to Christ. Simili pia fraude locum Judæ 4. ita ediderunt *τον μονον Θεον και δεσποτην, τον Κυριον ημων Ιησουν Χριστον*. Wetsteinii Prolegomena ad Nov. Test. vol. i. p. 119.

^h If, however, the *λογος*, the word, in John be made to refer to Christ, it may be said that the creation of the material world does relate to Christ: for it is there said he was in the world, and the world *ο κοσμος* was made by him. But the force of *δια* may be here considered, which may have the same meaning applied to *κοσμος*, as it has when prefixed to *αιωνας* explained above. The force of this preposition, and many prepositions, and phrases, admitting a similar construction, see ingeniously illustrated by Mr. Wakefield. An Enquiry into the opinions of the christian writers of the three first centuries concerning Christ, ch. 2. sect. 1. I might too observe that *κοσμος* may mean the jewish dispensation, as it does elsewhere.

Feed the church of God, which he purchased with his own blood, Acts xx. 28. is an imposition on the common sense of mankind, at least in the commonly received sense. The syriac version for God, reads the messiah, the coptic for Gød reads the Lordⁱ.

Christ is called the Father of the age^k, emphatically so styled, by reason of the perpetuity of the gospel age, which was to be commensurate with time,

The promised Father, of a future age. POPE.

(improperly in our translation, the everlasting Father.) Agreeably to this notion of Christ, it is said, He shall see his seed—Isa. liii. 10. Christians are said to be BE-GOTTEN again to a lively hope, or a hope of life^l, by the resurrection of Jesus Christ from the dead, 1 Pet. i. 3. they are called the CHILDREN of Christ: Behold me, and the CHILDREN, whom God hath given me, Heb. ii. 13. In a similar sense it is said of Abraham, I will make thee a Father of many nations, and so shall thy seed be, Gen. xv. 5. Hence, he is called the father of us all, of all the seed, not only of that which is of the law, but of that which is of the faith of Abraham. Rom. iv. 16, &c. See also 1 Cor. iv. 15.

Calling upon the name of the Lord^m, is an expression frequently applied to Christ, but this, and similar expressions,

ⁱ See Wakefield in loco. who, however, retains του θεου.

^k אבִי עֵד. II. ix. 6. How the different versions translate this passage may be seen in Mr. Frend's valuable little performance, entitled Mr. Coulthurst's Blunders exposed.

^l Wakefield.

^m 1 Cor. i. 2. Συνταξι τοις επικαλημένοις το ονομα του Κυριου ημων Ιησου. Similar expressions occur frequently in the old testament, where the LXX call them,

sions, may be translated called after the name of the Lord ; or making a public profession of his name, and so Dr. Hammond turns it. Yet even admitting, that they relate to prayer to Jesus Christ, the trinitarian and arian hypotheses gain but little : many who believe Christ was only a man admit, that prayer was addressed to Christ, in the first ages, during the continuance of miraculous powers, and many of the polish unitarians maintained that prayer ought still to be addressed to him, and were zealous for the notion even to a degree of bigotry. Socinus wrote a treatise on the subject, and in the racovian catechism those who do not invoke Christ, are said to be no christiansⁿ.

them, called after, or by, &c. Chron. vii. 14. My people, which are called by my name, ἐφ' οὓς ἐπικεκλήνται τὸ ὄνομα μὲ ἐπ' αὐτοῦ, LXX—Οὓς τὸ ὄνομα μὲ ἐπικεκλήνται ἐπ'. Alex. so Isa. xliii. 7. כָּל הַנִּקְרָא בְשֵׁם יְהוָה. Παντας οὓς ἐπικεκλήνται τῷ ὀνοματι μὲ.—LXX. Gen. iv. 26. And he called his name Enos: then began people to call on the name of the Lord, which Dr. Geddes turns, This man aspired to be called by the name of the Lord God. יְהוָה יִקְרָא אָדָם—Ἐπικαλεῖσθαι τὸ ὄνομα τῆ Κυρίου LXX. Aquila, Τότε ᾤχεθη τὴ καλεῖσθαι ἐν ὀνοματι τῆ Κυρίου—Then began people to be called, in, after, or by, the name of the Lord. Thus again in the new Testament, Acts ix. 14. τὸς ἐπικαλουμένους τὸ ὄνομα σου, who call themselves by thy name: οὗτοι οὐκ ὀνομασθή, &c. Rom. xv. 20. 2 Tim. ii. 19. Ja. ii. 7. Some, ingeniously enough interpret ἐπικαλεομαι τὸ ὄνομα, &c. appealing to the name, &c. Thus Καίσαρα ἐπικαλομαι, I appeal to Caesar, Acts xxv. v. 11, 12.—xxvi. 32—28. 19. Vid. Mr. Capel Loft's Observations, &c.—So Acts vii. 59. They stoned Stephen, ἐπικαλουμένον, appealing to them, is certainly the true meaning, as Mr. Wakefield turns it; and light as air is Bp. Horley's antiquated criticism on this passage. Thus Hermas, two or three times, nomen quod super eos erat invocatum, L. 3. simil. 8. § 6. which he elsewhere explains by nomen Domini tulerunt. § 10. fere nomen, &c. Ονομα has κατὰ frequently omitted both by Latin and Greek writers, and sometimes, ὄνομα itself, οὗ καλουμένου, καὶ τούτο ἐκαλεῖτο Lucian. in Gallo, p. 243. Rogatus quid vocaretur Livius, lib. 38. cap. 17. See Bos's Ellipses. This expression, thus understood, will be equal to, called by the name of the Lord, children of God, called saints, or christians, &c.

ⁿ Vid. Vossigeni Op. inter. Frat. Pol. Compendium Rel. Christ. p. 5.

My limits do not allow me to enlarge on this subject. I must content myself with observing, that having seriously examined the scriptures with a view to this doctrine, I am fully persuaded, that it is clearly supported by the general tenour, and every uncorrupted text of the sacred writings; and as it accords with the language of divine revelation, so does it with that simplicity which characterizes all the works of divine power. And “surely, as it hath been judiciously observed, the revolutions of day and night, of summer and winter, are as ample proofs of God’s power and providence, and the blessings of seed-time and harvest as great blessings, if they are procured not by the motion of the whole heavens, but by the simpler and easier motion of the earth. And the wisdom of God in redeeming mankind, is not a different thing from that wisdom, by which he made the world; nor is it a vain thing to expect any traces of that simplicity in the word of God, which all confess to be the grand characteristic of the works of God.”

The personifying the *λογος*, the reason, the wisdom, or word of god, and its subsequent exaltation into the place of a god, first laid the foundation of christian idolatry. When the philosophers came into the church of Christ, being ashamed of a crucified man, they brought with them their master Plato, who read lectures to them on, IN THE BEGINNING WAS THE WORD, AND THE WORD WAS WITH GOD, AND THE WORD WAS GOD: *Amicus Socrates, amicus Plato, sed magis amica veritas.*

° See two discourses on the creation of all things by Jesus Christ, and the resurrection of the dead by the man Christ Jesus, by Mr. Tyrwhitt, Disc. 2.

CHAP. IV.

ARTICLE III. OF THE HOLY GHOST.

A TRINITARIAN writer of some repute among the calvinist dissenters ^a, enumerates, if I recollect right, seven heresies against the holy Ghost. This article, against such heresies, maintains, that the holy Ghost, proceeding from the Father and Son, is of one substance, majesty, and glory with the Father, very and eternal God! Accordingly, the church of England offers prayer to him, distinct from the Father, and in the litany he is addressed, as God the holy Ghost. I cannot find that this doctrine was known in the earlier ages of the church.

Whoever Barnabas (called by some the apostle) be, he was clearly a very ancient, though a very absurd writer. In his whimsical epistle the spirit is mentioned three or four times ^b, and it agrees with the doctrine of the scriptures. The next writer Hermas, or Hermes, was clearly a platonic, and agreeably to the confused notions of Plato, talks more of a spirit, but very indeterminately ^c. In two places, I think, he calls the holy Spirit, the Son, and when he speaks more determinately, he opposes the holy spirit to evil spirits, and a good to an evil genius, meaning the same things by different terms. He calls the good spirit, the prophet of God, the evil spirit a false prophet.

^a Hurrier's Sermons on the holy Spirit.

^b Barnabæ Epist. inter frat. apost. p. 21.—61.—95. edit. Russel.

^c Hermæ Pastor, lib. 2. mandat. vi. x. xi.

In Clemens Romanus's Epistle there is no such notion. The holy spirit stands with him for divine influence^d, in the sense, which the apostles use it, and that he knew nothing about the orthodox doctrine, appears from his doxologies at the end of his epistle, where the Spirit is not mentioned. Justin Martyr was the person, who sowed the seed of Plato's philosophy in the church of Christ, and in him we find more about the spirit, than in any preceding writer^e. I have not referred to Ignatius, either in the present, or the preceding chapters: for even his GENUINE Epistles carry such evident marks of gross interpolation, to serve a system, that they can by no means be quoted as authority in this controversy. In Polycarp's Epistle to the Philippians, the holy Spirit is not once mentioned. In the circular epistle of the church at Smyrna, indeed, mention is made of the holy spirit: but in terms utterly unknown to the new testament, and to the christians, who lived in the time of Polycarp. There is no danger, therefore, in asserting that part, at least, of the epistle to be spurious^f.

Maimonides, one of the most judicious of the jewish rabbins, reckons six acceptations of the word Ruach, or spirit, two of which are divine influence, and design, will, or purpose; and he adds, that whenever the word spirit occurs, spoken of God, it is always either in one or other of these senses^g. Philo uses the term *θεῖον πνεῦμα* two or three times in his treatise de mundi opificio, but never in the sense of the reformers.

^d Epist. ad Cor. i. 2.—42. 45.

^e Vid. Cohortatio ad Græcos, p. 30, 31. ed. Lut.

^f 2d Ep. *Μεθ' α* (nempe *Ἰησοῦ Χριστοῦ*) *καὶ πνευματικῶν ἀγίων ἡ δοξα καὶ νῦν καὶ εἰς τοὺς μελλόντας αἰῶνας.* Epist. circul. xiv. and again at the end.

^g Lardner's first Postscript to his letter on the logos.

By consulting a few passages in the old testament, the remark of Maimonides will be found true. Genesis vi. 3. Exod. xxviii. 3.—xxxv. 21. Num. xi. 26. 29. Judges iii. 10. Job xxvi. 13. Ps. civ. 30.

In the new testament, also, the term spirit stands for divine influence, communicated in miraculous powers, and spiritual gifts, blessings, and privileges. Mar. xiii. 11. Luke xii. 11, 12. John iii. 34. Acts xi.

The force of the word spirit will appear by considering that the words power, wisdom, presence, hand, and such like expressions, are frequently synonymous with it. “The holy Ghost shall come upon thee, and the power of the Highest shall overshadow thee.” So in Exod. xxxi. 3, 4, 5, 6. Job xxvi. 13. Psal. li. 11.—cxxxix. 7. and still further, by considering such expressions as these, spirit of his son, spirit of adoption, spirit of holiness, and the like. Can these phrases be applied to a person? This mode of speech, originally hebrew, passed into the greek language, and is now used in most languages. We commonly say, that such a person is endued with a noble spirit; with the spirit of a man; do it with all your spirit. Let it be observed, that in the scriptures no mention is made of prayer to the spirit. I do not ask then whether God and the holy Ghost are two beings, but whether there be such a being as the holy Ghost? If from such an expression, as “the spirit” we contend, that the Spirit is a person, and a divine person, we shall have more divine persons, than we are aware of^h. The phrase, indeed, is frequently nothing but a periphrasis, and may be

^h See a New translation of Matthew's gospel, by Mr. Wakefield, p. 8, 9, 10. See Dr. Watts's last sentiments about the holy spirit, in *The Life of the Rev. Dr. Watts* by the late Dr. S. Johnson, by a candid and sensible writer, Mr. Palmer. Expedience, I rebuke thee, Expedience.

translated simply God, without any injury to the sense. Some of the passages already produced may be so turned.

The text, supposed to give the clearest proof of the personality of the spirit, is John xiv. 26. The spirit is there called the advocate (*ο παρακλητης*.) And it is added, that, he shall teach you all things. But this is evidently a personification. The disciples were to be visited with a supernatural influence, to supply the presence of Christ, by giving them larger discoveries of divine truth, and by supporting them under their trials to the end of life. Agreeably, therefore, to scripture style, it was natural to call it the advocate; a mode of personification common, indeed, to all languages, but peculiarly conformable to the genius of the holy scriptures. I cannot possibly understand our Lord's temptation without personifying the principle of evil, (*ο διαβολης*.) Ye cannot serve God and mammon is a similar personification.

This is the deceiver and the antichrist (*ο πλανης και ο αντιχριστος*, Jo. ii. 7. is a similar personification.) In the epistle to the Romans civil government (not the civil governor,) is called a minister of God. It holdeth not the sword in vain, &c. Rom. xiii. All along civil magistracy is spoken of, and yet, the *εξουσια*, or power, is no person, but a mere personification.

Here then we have the divine influence, or power, first personified, then advanced to the place of a God; and at length comes out that profound mystery, God the holy ghost co-equal and co-eternal with God the Father! **TO US THERE IS ONE GOD THE FATHER.**

CHAP. V.

ARTICLE IV. VIII. OF THE GOING DOWN OF CHRIST
INTO HELL:—THE THREE CREEDS.

WHAT could Jesus do in that dismal place? The articles of 1552 tell us, “that while his body lay in the sepulchre till the resurrection, his ghost departed from him; that it was with the ghosts, that were in prison, or in hell, and did preach the same.” Now the term *adns* as it occurs in the septuagint, and new testament, and Sheol in the old, mean the grave, or to speak more generally, the place where good and bad men were removed at death. But the reformers, it is well known, put a very different sense on these words. Their opinion, together with that of the various commentators on the articles, are stated at large by Mr. Wilton (a very candid writer among the dissenters) in his Review of some of the articles of the church. However, luckily for subscribers, this article has many literal and grammatical senses^a. Nevertheless, before the doctrine of the reformers is admitted, it should be proved, that there exists an immaterial substance, called the soul, which thinks, and moves independent of the body. Agreeably to a hint dropt in a former part of this work, I meant to have written here an essay on the soul. But my limits will not allow me to enter on this subject. I, therefore, content myself with observing, that the hebrew word *nephesb*, in the old testament, and the greek,

^a See Burnet on the 39 articles, introd.

ψυχή in the new, mean the principle of life: “and the Lord God formed man out of the dust of the ground, and breathed into his nostrils the breath of life,” (heb. Nisimath Hajjeim, breath of lives, or vital breath) and man became a living soul, (heb. Lenephefsh Hajjah) a living person. Dr. Geddes, Gen. ii. 7. The same words express the life of animals, c. i. 20. (and throughout the chapter) moving creatures that have life, living soul, Sherefsh nephefsh hajjah, reptile of living soul, that is, living reptiles, ἐρπετα ψυχῶν ζωῶν LXX. So in the new testament, Acts xiv. 26. Men who have devoted their lives, ψυχᾶς, 20—24. Nor do I count even my life dear, τὴν ψυχὴν μὲν, and passim. In Rev. xi. 11. there is a similar phrase, πνεῦμα τῆς ζωῆς, which Mr. Wakefield properly turns, breath of life, improperly in our translation the spirit of life. ψυχικός υἱερῶτος. 1 Cor. ii. 14. which we translate the natural man, more properly the animal man, is synonymous with σαρκικός, carnal, as σῶμα ψυχικόν, 1 Cor. xv. 44. is opposed to πνευματικόν. Man is one substance. When the principle of life departs, the body rests in the grave till the morning of the resurrection. The reader may see every thing I wish to say on this subject 1 Cor. xv.

The eighth article asserts, that the three creeds, the nicene, athanasian, and the apostles, ought thoroughly to be received and believed, for they may be proved by most certain warrants of holy scripture.

Some think it strange to subscribe as the apostles' creed, what the apostles never thought of: to subscribe as the creed of Athanasius, what was written several hundred years after his death; and for the creed of Nice, a symbol, great part of which was framed at Constantinople. Commentators, indeed, treat these mistakes as trifles.

The

The name, at least, of Athanasius, gives sanction to the creed. An inquirer, therefore, may ask, Who was this Athanasius?

There are few characters, about which men have been more divided: one party describing him as a saint of the first rank; the most distinguished champion of the truth, standing upright and firm, when all christendom declined, the whole world being against Athanasius, and Athanasius against the whole world; while the saint exhibited in his conduct towards his opponents all the prudence of the philosopher, and all the patience of the martyr^b. Those who consider the athanasian creed as the standard of christian truth, and Athanasius as the author of it, throw Arius the heretic into shade, to render Athanasius the saint conspicuous.

The other party describe Athanasius, as a young petulant deacon of Alexandria, who raising a cry about heresy, made it a ground for the most cruel barbarity, and the most restless ambition; procuring the banishment of Arius by artifice, and forcing himself into his seat by violence. Immorality, they say, was the cause of his ejection; but, "through seas of blood," he procured his re-establishment! A learned prelate, whose character exempts him from every suspicion of partiality, having taken his picture, held it up in a great assembly as exhibiting one of the monsters of mankind^c. If Athanasius had penned the creed, he would have left behind him no favourable specimen of his character.

A person, admitting Athanasius, approving the creed, and thinking the happiness of heaven will be increased by

^b Hooker's Eccles. pol. l. 5. 42.

^c Bishop of Clogher's Speech, made in the house of lords, in Ireland, February 2, 1756.

the endless torments of heretics, will relish its damnatory part. And when he is prepared to subscribe, what nobody understands, what the sensible part of the nation laugh at, and what some merciful people cannot read, he will then be prepared to read fourteen times a year this detestable creed. "He that would be saved must thus think of the Trinity! This is the true faith, which unless a man keep whole and undefiled, without doubt he shall perish everlastingly!"

If I were called on to subscribe this article, self-love would incline me to refuse it. For I should recollect, that I have the nicene creed also to subscribe. And if I had no mercy on others, I should wish to have mercy on myself.

The nicene creed, (at least part of it,) was framed at Nice, A. D. 325, to confirm the doctrines of Athanasius, and to exclude those of Arius. But the good fathers were not cool enough to lay down their own sentiments; and we are presented with an athanasian creed, expressive of arian heresy^d! This creed was accordingly subscribed by the disciples of Arius, and also by Eusebius, and Arius himself might have been restored to favour, but for the opposition of Athanasius. The athanasian doctrine was, that Christ was very God (*αὐτοθεός*), co-eternal, co-equal, uncreated; that the persons were not to be confounded, nor the substance divided, and all were to be damned, who believed the contrary. The nicene creed affirms, that Christ is God of God, *Θεός ex Θεού*, light of light, very God of very God, and does absolutely both confound the persons, and divide the substance. The genuine creed, also, closed with a gentle sentence of damnation, (though

^d See Wilton's Review of some of the articles.

now omitted) against those, who should say, that Christ was of another Hypostasis, which is the language of the athanasian creed. Thus by the two creeds, we are brought into an awkward situation, out of which I know not how we can deliver ourselves, but by throwing away both the creeds, and by following Jesus our master, who came not to destroy men's lives, but to save them.

CHAP. VI.

REMARKS ON ORIGINAL, OR BIRTH SIN; SACRIFICE OF CHRIST; FREEWILL; GOOD WORKS; PREDESTINATION.

“ORIGINAL sin (Art. 9.) is the FAULT and corruption of every man, who is gendered of the offspring of Adam; so that every person, born into the world, deserveth God's wrath and damnation !”

This definition is Calvin's^a, who, among other curious particulars, adds, “that infants bring their own condemnation with them from their mother's womb, being charged, not with another's, but their own personal vice.” Let us take another word. “Before we beheld the light,” says he, “we are filthy and defiled in the sight of God.”

In the history of the transgression of our first parents, which was a yielding to the sollicitation of pleasure, (in opposition to the command of God) allegorized under the

^a Peccatum originale, says he, hæreditaria naturæ nostræ pravitas et corruptio est. Institut. l. 2. c. 1. f. 8.

character of a serpent^b, we have no such dreadful account of original sin: it need not surprise us, therefore, that Josephus, Philo^c, and the reputed Barnabas^d, take no notice of it, and that the early christian writers were wholly unacquainted with it.

The punishment denounced against our first parents seems to have been loss of natural existence, or an immediate, violent, and total death. In the day thou eatest thereof, thou shalt surely or utterly die, is the sentence of a judge denouncing the penalty annexed to a crime^e; and wherever the expression, Thou shalt die, occurs in the old testament, it always relates to violent death. On the repentance of Adam and Eve, according to some, the sentence of total death was commuted to one less severe, and, at the same time, suited to a state of imperfection. To the woman God said, I will greatly multiply thy sorrow, &c. To Adam, Cursed is the ground, for thy sake, &c. Or, as Dr. Geddes more properly turns it, cursed is the ground with respect to thee.

As great stress is laid on the words, thou shalt die, in the controversy about original sin, I will produce some parallel texts, as quoted by Abauzit. "When God commanded Abimelech to restore Sarah to Abraham, If thou do not restore her, said he to him, know that thou shalt die." Another Abimelech issued a law in favour of Isaac and Rebecca; "Whosoever shall touch this man or his wife, shall die." Saul published an edict; "He who shall have committed this sin, were he my son Jonathan,

^b Philo de mundi opificio, inter op. p. 38. edit. Mangey.

^c Ut sup.

^d What a fine opportunity had Barnabas of mentioning it, when speaking of our corruption, before we believe in God! sect. xvi.

^e Thou shalt incur certain death. Dr. Geddes.

he shall die." It is usual with Moses to conclude his law with this threatening; "Whosoever shall do such or such a thing, shall die." Thus also the prophet Elisha says to the messenger, sent to him from the king of Syria; Go, say to him, 'Thou shalt certainly recover from this disease: howbeit, the Lord hath shewed me, he shall surely die'." Mere natural death could hardly be intended; for by the constitution of Adam, his body tended to dissolution: (though the supreme Being might have prevented the natural tendency of this constitution, of which the tree of life might have been emblematical) inasmuch as thou art but dust, said God to him, and thou shalt one day return unto dust, that is, henceforward thy constitution shall yield to its natural tendencies. So far as the posterity of Adam was affected by his punishment, they became the objects of compassion, certainly not of blame. As to everlasting torments, or (in the language of the reformers) God's wrath and damnation, we may find them, I grant, in the glosses of divines, but shall search for them, in vain, in the sacred text: and what is more, endless sufferings, for the most wicked of mankind, are no where taught in the scriptures, nor were they known in the primitive church. Some of the earliest christian writers held, that the wicked, after a course of punishment, would become extinct.

In immediate connection with the introduction of death by the first Adam, our mortal parent, is a title to an eternal existence by Christ, who, though a mortal, like Adam, yet being sent on an important errand to the human race, is called "the second Adam, the Lord from heaven."

As I cannot infer the natural immortality of man from his present condition, so neither am I taught it in the in-

† Abauzit's Miscellanes.

• See Heermas, *passim*.

spired writings. The existence of man depended originally on the mere pleasure of God, and his body tended to dissolution; moreover, he forfeited his existence, afterwards, by disobeying his Creator. His continuance in life, then, must depend on the mere clemency of his Judge, who had said, "THE DAY thou eatest thereof, thou shalt surely die." But had he any ground to expect a state of happiness after death? This he had not. If after death he was to be raised again to life, his continuance in existence must have depended on the mere pleasure of God, in the same manner as did his existence at first. It should be further observed, that a resurrection after death, and a future state, made no part of the covenant at Sinai^b. The law came in between Adam and Christ, that the offence might abound; it is, therefore, said to work wrath; and to be a ministration of death.

The new covenant is very explicit on the doctrines of a resurrection of the body, and a future state; we are taught, at the same time, that death had passed upon all men; for that all men had sinned. Christ is therefore called THE WAY, THE TRUTH, and THE LIFE; THE RESURRECTION, and THE LIFE, not merely, I think, for teaching the doctrine of a resurrection, and for exemplifying its truth in his own person, but "by tasting death for every man;" by dying he abolished death, he took away sin,

^b The incomparable Mr. Hartley supposed from the general belief of a future state in all ages, that men were not led into it merely from general reasons and analogies, but that it descended from the common fathers of mankind, and was the current opinion among the jews. *Observations on Man*, vol. 2. p. 389. That the jews had among them some notion of a future state, as well as other nations, I think, very probable, by whatever means they got it; and that good jews, as well as other good men, might be supported by the belief of it, I think not improbable. But that the covenant made with the jews, through Moses, regarded temporal blessings merely, is, I think, incontestable.

or the punishment annexed to sin, DEATH; and having been rewarded with immortality for his obedience unto death, he is become the AUTHOR OF ETERNAL SALVATION to all those who obey him. His blood was shed for the remission of sins. Hence the apostle speaks of God's sending his own Son in the likeness of a SINFUL BODY, ON ACCOUNT OF SIN, and of condemning sin by THAT BODY, as Mr. Wakefield ingeniously, and, I think, justly, translates Rom. viii. 3. And of Christ as giving himself for our sins, that he might deliver us from the present evil world, according to the will of our God, and Father. Hence too such expressions, as Christ dying for our sins, as our receiving remission of sins through his blood, as our obtaining redemption through his blood, even the remission of sins, of his bearing our sins in his body on the tree, and the like. The gospel is therefore called a Justification of life, or a right to life (*δικαιωσις της ζωης*) and the obedience of Christ is said to flow to the same extent as the disobedience of Adam, and to have a contrary effect: as by the disobedience of one the many¹, all mankind, were made, treated as, or put down as sinners, by losing a right to existence; so by the obedience of one shall the many, all mankind, be made, treated as, or constituted righteous, that is, have a right to life. The peculiar stress laid on the obedience of Christ, and on his death, as the highest expression of it, are circumstances, I think, peculiarly to be attended to.

So again, as Mr. Wakefield very properly translates Rom. v. 18, as by ONE SIN OR TRANSGRESSION all men came into condemnation; so also by ONE KINDNESS OR GRACIOUS DECREE will all men come into a justification

¹ ο πολλοι. See Rom. v. 15. to the end of the chapter.

* κατισταθης ο.

of life. On the same principle Paul calls the gospel the spiritual law of life in opposition to the mosaic law, which he calls the law of sin and death, the administration of death, and the administration of condemnation.

This system therefore supposes, that the obedience of Christ has a higher place in the christian scheme, than that of mere example, though it, by no means, supposes it was a sacrifice for sin, according to the sense of the reformers: for they maintained, that Christ was a sacrifice (in the strict sense of the word) to take away the wrath of God¹: but infinite benevolence requires no foreign motive to dispose it to love its creatures: neither can a finite creature commit an infinite offence; nor can a finite creature make an infinite satisfaction; at the same time, I repeat it, I cannot account for that singular stress laid on the death of Christ, in connection with our salvation, without admitting that it has, by the divine appointment, a meritorious efficacy in procuring it.

From this view of salvation by Christ may be collected, what justification by faith means. That we shall rise again, and live in a future state, we owe to Christ: for having no right to a future existence after death, we receive it as a free gift of God, through Jesus Christ. Remission of sins on our repentance, (THAT REDEMPTION, THAT SALVATION, so emphatically spoken of in the new testament), and eternal life through Jesus Christ, appear to me the leading doctrines of the gospel: and to these blessings jews and gentiles, without any regard to the superior advantages of the former, or the past idolatries of the latter, were admitted by faith. Being justified by faith, or being acquitted from death, or receiving a pardon by be-

¹ Compare Articles ii. ix. xxxi. See also the Homilies.

lieving the gospel, we have peace with God, through our Lord Jesus Christ. The reformers made no distinction between present privileges, and a future improvement. This distinction, however, ought certainly to be made^m. Paul's epistle to the Romans, was, indeed, strictly speaking, written to settle a controversy between the jews and gentiles, at a particular period. But this general truth is to be collected from all the epistles; that religious advantages are now afforded us, and that we are answerable for the use of them. Every man will be rewarded according to his works. This doctrine makes the epistles in perfect harmony with each other. The earlier fathers also made this distinctionⁿ; the doctrine of justification by faith only, to the exclusion of good works, as held by the reformers, was agreeable to the calvinistic notion: and hence sprung at the reformation the gossellers, antinomians, who turned the grace of God to wantonness^m.

I will just obviate an objection, that may be started to a hint, which I dropt against endless torments. The words eternal, everlasting, ages of ages, and the like expressions, are apt to convey to an english ear the idea of never ceasing: but the words that answer to them in the hebrew and greek languages do not necessarily convey that idea. They usually, indeed, intend a long duration, but whether it be endless, can only be ascertained by the subject under contemplation, and the concomitant circumstances; they being applied indiscriminately to Jehovah, to Christ, to an estate, to doors, to mountains, to hills, to the happiness of the righteous, and to the punishment of the wicked. As to Jehovah, his years have no end. The

^m Taylor's Key to the Romans.

ⁿ Clement's Epistle.

^o Bunnet's Hist. of the Reform.

kingdom of Christ is called an everlasting kingdom, and yet he must lay it down: compare 2 Pet. i. 11. with 1 Cor. xv. 28. Mountains and hills are spoken of as everlasting, yet "all these things will be dissolved." The happiness of the saints is said to be eternal, as well as the punishment of the wicked, but the former is derived from him, who has the power of an ENDLESS life; their inheritance is INCORRUPTIBLE, it fadeth not away; and of the regions of the blessed it is expressly said, There shall be no DEATH there. But no such expressions, I apprehend, are applied to the punishment of the wicked, that is, there are no expressions in the scriptures, from whence we can fairly infer, that punishment will not have an end.

The tenth article says, That man cannot turn and prepare himself by his own natural strength to faith and calling upon God, without the grace of God by Christ preventing. This I think true, though not in the sense, in which the reformers held it. For man being a moral agent, subject to a rule of duty, responsible for his actions, and capable of reward and punishment, he must have a voluntary power over his actions, and a capacity to excite those desires, and affections, in which religion consists; or, in other words, he must have a natural strength to do what God requires at his hands. How, otherwise, can be reconciled the frequent assurances on the part of God, that he willeth the good of all men, his numerous expostulations with man not to be wanting to himself, the general promises, invitations, and encouragements, which run through the current of the scriptures, and after all, the solemn declarations that the future punishment of sinners will be the effect of their own obstinacy? This system, therefore, supposes that man hath a natural strength for religion, or, according to the doctrine of Mr. Hartley, free-
will

will in the practical and popular sense. By the grace of God, the reformers meant the assistance of God the holy ghost, the third person in the trinity.

At the same time, believing, as I do, that man is one substance, that mind is the effect of a certain organization of matter, that every motion of thought and desire is to be traced ultimately to impressions on the nerves, by vibration communicated to the brain, that the will follows irresistibly and necessarily the most powerful impressions, that all the motives of religion are the gracious appointment of the deity, and have a fixed and determined end, that is, agreeably to the system of Mr. Hartley, not admitting free-will in the philosophical sense, or "that different determinations can follow, where the previous circumstances are the same," I refer every thing, in the most unlimited sense, to God, who is ALL IN ALL. On these principles, therefore, every exercise of personal religion, as well as the whole scheme of the new covenant, proceed from the GRACE of God, and so far this system agrees with that of the reformers. But here, again, it differs from their system: it maintains, that God's tender mercies are over all his works, that God willeth the salvation of all men, and consequently, that the grace of God will, at length, prevail over all, it being impossible, that infinite benevolence should be defeated of its gracious intentions. As, therefore, the voluntary powers of the mind have not yet been awakened in all by the motives of religion, it will follow, that such will be the final issue of things; so that all beings will, at length, be made happy in God!

That

Since the publication of the first edition of this work, the public have been presented with a new edition, with notes, of that scientific, pious, invaluable work, entitled *Observations on man*, by Mr Hartley. Translated from the german of

the

That the end of the great and good Being, in calling creatures into existence, was the communication of happiness, and that the scheme of his providence, and the plan of redemption, are the continuation of his benevolent design, is the invariable language of revelation. The scripture doctrine of **ELECTION** or **PREDESTINATION** is in perfect harmony with his universal benevolence.

When God called Abraham out of Ur of the Chaldees, to be the father of a numerous people, the design was, that, In him all the families of the earth should be blessed; and when God called the nation of the jews to great temporal blessings, and religious privileges, separating them from the other nations, he was treasuring up streams of information, which in future ages were to flow out and enrich the nations; that in the fulness of time there should be born among that people a deliverer, whose commission was to extend to all mankind. They, who for this purpose were made a separate people, are called, without any regard to a future state, his elect; sometimes, in consequence of the deliverances, which they experienced from God, they are called his saved, his redeemed; and, at other times, being set apart to answer the purposes of heaven, they are called sanctified †

Jesus Christ, and the apostles, were jews: being accustomed to the jewish scriptures, they adopt jewish forms of speech. The jewish nation had been called God's elect. But there was a great mystery, which had not been made known to the sons of men, as it was afterwards revealed to the apostles and prophets by his spirit, that the gentiles should be fellow-heirs, and of the same body, by the

the Rev. Herman Andrew Pistorius. I beg leave to refer the reader to a note of Pistorius's on the final happiness of mankind, p. 744.

† See Taylor's Key to the Romans.

gospel,

gospel, being predestinated to the adoption of children, according to the good pleasure of him, who worketh all things after the secret purpose of his will, Eph. i. The jews, being cast off for their unbelief, the gentiles, by the mere favour of God, were entrusted with the gospel—this was the gift of God—they are said to be saved by grace, and are called the elect. Those, also, who were appointed to any office in this dispensation, such as partaking of the ministry with our Lord, while on earth, or publishing the gospel more at large to the nations, are said to be chosen, appointed, or elected thereto.

Yet people, thus privileged, might be cut off. Rom. xi. Paul was a chosen vessel; yet he used caution, lest he also should be a cast-away; and even Judas was one of the chosen, and yet Judas was an apostate. Moreover, as the end, which God had in view in this gracious dispensation, was the holiness of those, who were under it, hence they were said to be chosen in Christ before the foundation of the world, Eph. i. and to be chosen through sanctification, and belief of the truth. But is the notion of distinguishing a few individuals, by peculiar blessings, and reprobating the rest to endless misery, a doctrine of Christianity? I would then say of christianity, thou art not the religion for me. Let me rather be a benevolent sceptic, than a selfish christian. But absolute predestination has not been agreeable to the taste of modern divines. Learned pens, therefore, have endeavoured to shew, that the article will bear a milder interpretation; some assert, that what is now called the arminian, is the true sense; and others, that the article was designedly left open; so that a disciple of Calvin, or Arminius, may subscribe it with equal safety. Let it, however, be observed, that the reformers were doctrinal calvinists. Without multiplying quotations, I

think it sufficient to refer to the celebrated catechism of dean Ponet, published in Edward the 6th's reign, to which Cranmer and Ridley set their seal, and to the sermons of bishop Latimer. And, that calvinism continued to be the doctrine of Elizabeth's reign, is clear from the latin edition of the aforesaid catechism, published by dean Nowel, approved by the clergy in convocation, and dedicated to the archbishops and bishops, and also from the writings of Jewel^r, Fox^s, and Hooker^t. Would calvinist divines pen arminian articles? They must then be knaves. But the reformers were honest, though in many instances, mistaken men. Burnet, in his history of the reformation^u, acknowledges, that the reformers in general taught absolute predestination; but, in another place, I think, remarks, that reprobation, however, is not mentioned in the article^w. But how will calvinist divines separate one from the other? It is beyond the power of man to qualify the "horrendum decretum!" Calvin himself never attempted it. "If we are not able," says he, "to assign a reason, why God shews mercy to his favourites, unless, that so it please him; neither in the reprobation of others, shall we have any reasons, except his own will."

A writer, who had sufficient success in proving, that calvinism is the doctrine of the church of England, did not manage the controversy with any tolerable appearance, when he aimed to shew, that the early fathers held the

^r See his Exposition of the Thessalonians.

^s Bradford's Letter to certain friends, with Fox's Remarks, in Fox's Book of Martyrs.

^t A Sermon on the perpetuity of the faith to the elect, at the end of the ecclesiastical polity.

^u Part 2. book i. p. 113.

^w His Exposition of the articles.

same doctrine *. Barnabas calls Christians the “new people” in contradistinction to the old æconomy; but there is nothing in this writer that speaks the doctrine of Calvin, even as quoted by Mr. Toplady. He passes over Hermas, whether from a belief, that he was not an apostolic writer, or from a conviction, that his writings contradicted his favourite doctrine, I will not determine. That his writings are totally inconsistent with calvinism is certain, though I am not disposed to claim for Hermas the character of an apostolic man, nor even for Barnabas. The writings, that bear their names, were written, most probably, by people of that name, though not, perhaps, by the men, to whom they are ascribed. Mr. Toplady’s quotations from Clement are extremely partial. Clement addresses the church at Corinth, as called, sanctified, as the apostles do. He says, a great multitude of elect people were assembled together to the apostles; and in the next section speaks “of the glorious, and venerable rule of our holy calling.” What is that? “Let us consider,” says he, “what is good, what is agreeable, and acceptable to him, who made us. Let us steadily fix our eyes on the blood of Christ, and see how precious his blood was to God, which being shed for our salvation, procured the grace of repentance for the whole world.” Mr. Toplady very prudently suppressed this passage. Clement’s application of several passages of scripture to the situation of the Corinthians, and what he says of justification, is totally inconsistent with Mr. Toplady’s notion of predestination: it being exactly the same, as that laid down by Mr. Taylor in his key to the Romans. Remarks similar to these will

* Toplady’s Historic proof of the doctrinal calvinism of the church of England, vol. 1. p. 118.

† Sect. 6, 7. Compare together sections 29, 30, &c. to the 36 Edit. Ruffel,

apply

apply to Polycarp and Ignatius. As to the latter, he addresses whole churches, as predestinated before all ages, elect, and the like; people advanced in holiness, and eminently useful in the christian profession, he calls elect, in the same manner as the apostles. The Ephesians, in the epistle to whom Mr. Toplady would have us believe there is so much of his dear doctrine, are thus addressed by Ignatius; "Let us reverence and fear the long-suffering of God, that we may not come into condemnation. Let us fear his future wrath, or love his present grace^z." It is a very easy matter to prove, that the primitive church held absolute predestination, if we bring our own interpretation of the term predestination, and apply it to the same term, wherever it occurs; a practice, pursued by this writer, in treating on this subject.

The assertion of Limborch is true: prior to the rise of Augustin, the primitive church knew little or nothing about predestination; understanding that sense of it received by the reformers: and even Calvin^a himself, the great disciple of Augustin, would have corrected the mistakes of Mr. Toplady on this subject. Augustin might well say of his doctrines of original sin, predestination, and reprobation, (adopting the words of Chrysostom,)

Fundamentum nostræ philosophiæ est Humilitas !

for he was a frail faint ! And it has been thought by some, that his system proceeded from his own passions, as well as from his disputes with Pelagius and Celestius. A famous devotional performance of this admired saint argues, I

^z Sect. 11. I quote this passage in the epist. to the Eph. because Mr. Toplady refers to it. It has, however, to say the least, been miserably interpolated.

^a Veteres tamen omnes, excepto Augustino, sic in hac re variant aut perplexe loquuntur, ut certi fere nihil ex eorum scriptis referre liceat. Institut.

confels,

confess, great ingenuoufness; but, Doth it not also imply, that his piety gained few conquests over his passions?

The sixth article says, that, holy scripture containeth all things necessary to salvation. A disciple of Christ, therefore, going for ordination might say, with the author of the Confessional, and Dr. Jebb, Why, then, must we subscribe any thing besides holy scripture? Further, he subscribes to this proposition, “that in the name of the holy scriptures we do understand the canonical books of the old and new testament, (which are afterwards enumerated) of whose authority there was never any doubt in the church.”

The books, which we call apocryphal, by the church of Rome are deemed canonical: and of those who do not say after her, she says, *Anathema*^b. Though modern churchmen will scarcely imitate the language of the council of Trent, yet, Does not this article bear hard upon some of the true church?

For, on looking into this matter, the epistle to the Hebrews, the general epistle of James, the second epistle of Peter, the second and third of John, and the general epistle of Jude, will be found among those, whose authority has been doubted. The authority of the apocalypse has been very much disputed. Some have thought, it was not written by St. John, but by St. Peter; some have said, it was composed by no apostolic man, but by Cerinthus^c: Eusebius thought it was written by John, the priest. The council of Laodicea, (held in 360) first made a catalogue of the canonical books of scripture: but they omitted the apocalypse; nor was it received, as canonical, universally,

^b Bannet on the 39 articles.

^c Vid. Eusebius Eccles. Hist. l. 3. c. 28.

in the Greek church, till the 10th century. So much was its authority doubted! No less a man, than Monf. Abauzit wrote a learned essay to prove its inauthenticity. Many ancient and modern christians have doubted the authenticity of the two first chapters of Matthew, (some, indeed, the whole book,) and the first chapter of Luke. As to the Song of Solomon, those, who can spiritualize it, and find Christ and the church in it, will, doubtless, think it canonical. Some christians, less seraphical, have thought it is a topographical description^d of the holy land, and others still less seraphical, say, it is a beautiful song, with all the high colouring of eastern imagery, and that it was a dialogue between an amorous prince, and his favourite lady^e.

I need not be supposed to have given here any opinions of my own. These are, however, facts; and they may help us to form a judgment, how far the authority of the canonical books has never been doubted.

Now, Will it not be hard to anathematize all the good men, who have disputed the canonicalness of the preceding books, many of whom will be found to have been great ornaments to christianity, by saying, they are not of the church? Yet this we must do, if we affirm, the not doubting of the authority of the canonical books, is one of the marks of the true church.

Having endeavoured to give, in the preceding pages, an epitome of the doctrines of christianity, I will just observe, that respecting the truths received by revelation, the apos-

^d Robinson's Hist. of baptism.

^e Lady Montague has given us some turkish verses, addressed, to the Sultana, of which she justly remarks, they most wonderfully resemble the Song of Solomon, vol. 1. letter 30. They were written by Ibrahim Bassa, a young Solomon; the reigning favourite, a poet, and a lover.

tles would necessarily be of one judgment: however they might be mistaken, and disagree about other matters^f. Now it argues no presumption to suppose, that the reformers in the interpretation of these doctrines, might be, sometimes, mistaken, though it would imply extreme vanity, to say of one's own opinions these are certainly the truth. This only I know, that my Inquiry has been made with the strictest impartiality. But if half the preceding remarks be true, bishop Warburton hath asserted with more confidence, than truth, that the DOCTRINES of christianity have not been ALTERED^g. And if he has been too hasty in his assertions, it will follow, that church and state have exceeded their powers as christians, by the mutual contract: on so precarious a thread hangs the famous alliance!

^f Καθ' ὅσον γὰρ ἐν λυγρᾷ μιᾷ, διαφοροῦν αἱ νεύρει, μιᾷ δὲ ἡ συμφωνία· ὅτι καὶ ἐν τῷ χορῷ τῶν ἀποστόλων διαφορὰ μὲν τὰ προσώπα, μιᾷ δὲ ἡ διδασκαλία. Chrysostomi in S. Ignatium Homilia.

^g Alliance. Postscript to the fourth edit. p. 300. See p. 244, of this Inquiry.

CHAP. VII.

WHETHER SUBSCRIPTION BE CONSISTENT WITH THE
CHARACTER OF A CHRISTIAN. SOME SERIOUS RE-
FLECTIONS ON ITS EVIL TENDENCY.

BUT I ask again, Is subscription consistent with the character of Christ's disciples, or with the precepts of christianity? By a disciple of Christ, I mean one, who is convinced of Christ's divine mission, and devotes himself to the study of his doctrine. The reason, and conscience of of such an one must submit to the TEACHER OF TRUTH, the great EXEMPLAR of morals. With respect to his fellow-christians, he may become a teacher, but he must advance no higher. Be not ye called rabbi, for one is your guide, even the Christ, and all ye are brethren. Now, as Christ was his disciples' guide in nothing but religion, it will follow, that our Lord in such a command as this, must have his eye on religious dominion: and, indeed, the term, rabbi, proves this; which related to a character, that raised men by office, and distinguished them by titles, above their fellow-creatures; and which, in consequence, had advanced them to an unwarrantable influence over the understandings of their brethren. But Christ charges his disciples to betray no love of dominion, nor even to be like those religious guides, the rabbis.

Such, indeed, is the genius of christianity, that the teacher's is rather an office of service, than of dominion: with this view it was our Lord performed towards his disciples the most menial employments, saying, If I then your lord and teacher, wash your feet, ye ought also to wash one another's feet; and the apostles exercised no dominion over their brethren's faith, but were helpers of their joy.

But let me ask the christian world: Are our laws of church discipline, our habits of magisterial distinction, our forms of ecclesiastical aggrandizement, our addresses of religious homage, agreeable to the genius of christianity? What disciple of Christ hath a right to frame religious laws, or to demand a subscription to them? To affect titles of religious superiority, or to speak to the christian world with the tone of authority^a?

Indeed, the turning point in the controversy with all establishments, as the judicious author of the Confessional hath observed, is this: Is there any lawgiver, any master, but he who speaks by the authority of God? Some very thinking men have been converted to the church of Rome, by considering the necessity of an infallible head of controversy; which is but a different expression for the authority of the church in matters of religion.

2. If the heads and leaders of christian churches exercise an antichristian authority, in demanding subscription, he who subscribes yields a subjection no less inconsistent with the character of a christian. He binds himself to believe not the holy scriptures, but the church's interpretation of

^a ΠΑΝΤΕΣ ΤΕ ΕΠΑΠΕΥΟΦΡΑΝΕΙΤΕ, ΜΗΔΕΝ ΑΛΛΑΖΟΜΕΝΟΙ, ΥΠΟΤΑΣΣΟΜΕΝΟΙ ΜΑΛΛΟΝ, ὡς ΥΠΕΤΗΣΤΟΝΤΕΣ, is characteristic of the genius of christianity. Clement. Epist. ad Cor. scil. 11.

them;

them; he swears obedience to a master, ("a power to decree") and either mediately or immediately to every thing, which that power hath imposed, or shall hereafter impose. He receives a system of religious tenets, which he is bound on oath to believe, and a body of discipline, which he pledges himself on oath to obey. Having already defined a disciple of Christ, and shewn, that all authority exercised over conscience is inconsistent with that profession, from similar principles it will follow, that it is inconsistent with the character of Christ's disciples to yield obedience. I will beg leave to say, before a person subscribes 39 articles, he should be able to shew, that subscription does not imply a subjection of the conscience; that laws, which enjoin the matter of prayer, the attitude, and motion of the body, in which they are to be performed; the habits to be worn, and the sentiments to be believed; I say he should be able to shew, that all this can be punctually observed, so as to leave the christian free: or else that the conscience may be subject to human authority. Is subscription to the authority of "a supreme governor, in all spiritual and ecclesiastical concerns;" is swearing, as every deacon does, "reverently to obey his ordinary, and the chief ministers of the church, and those to whom the government and charge is given, consistent with the christian's rule of obedience?" Even a right reverend father in God swears obedience to his most reverend father in God.

3. But I ask a question more serious still, Does not subscription affect christian morality? As the chief object of philosophy is truth, that of christianity is to promote virtue; or, more properly speaking, its large aim, is to excite, at once, love of truth, and the practice of virtue, the excellence, and the happiness of man. Hence, it is,

that though a christian should ever pursue truth, and recollect, that truth is but one, yet as diversity of judgment will exist, moral principle must distinguish every christian; from thence he must regulate his conduct, and form his character. The gospel is calculated to advance religious principle to the highest perfection. It is a complete rule of moral action, of a milder and more gracious nature, indeed, than the law; yet, still it is a rule; and from its goodness receives its peculiar dignity and distinguishing excellence. The apostle, therefore, beautifully calls it, the law of the spirit of life, or the spiritual law of life. Paul himself paid a conscientious regard to it, and called upon his fellow-christians, to let their conversation be as became the gospel of Christ. Christians are called upon to be followers of Paul, as Paul was of Christ. It must, indeed, be allowed, that many things asserted to be in the scriptures, are matter of reasonable doubt, and of just dispute, and have been so, from the earliest ages of christianity to the present. But real christianity is ever the same; too great to receive its peculiar features from local peculiarities, and too good to be capable of immoral constructions. Yes! If there be a religion, which aims to promote integrity and justice, moderation and benevolence, love of truth and sincerity, and to mark with the most unequivocal disapprobation the contrary vices, injustice, ambition, covetousness, and hypocrisy, it is the religion of the blessed Jesus.

Many immoral tendencies, and practices, have been charged on the christian priesthood, as unhappily connected with its very profession; nor has the accusation always been brought by malevolence, envy, or disappointed ambition, but by men who have studied human nature, and who have been friends to mankind.

How,

How, they have said, has subscription weakened the authority of conscience, and tarnished the lustre of christian morality! Benevolence, the ornament of human nature, the glory of christianity, from being a generous effusion of heart towards all who fear God, and love our Redeemer, how hath it been weakened by subscription! Articles and creeds make heretics, and schismatics; and hence come wars and fightings among us; while infidels triumph and say, See, how these christians love!

As long as human nature is subject to frailty, subscription will injure all, who submit to it, though different individuals will be affected in different ways.

Consider the situation of a youth on taking his first degree. At a time of life, when it is impossible he should have properly weighed the nature of subscription, when arranging the results of his academical studies, his thoughts are wholly directed to a public examination, he is called upon to subscribe. This subscription is made on oath. Now considering him, as taking his first step into public life, May not subscription make an impression, which will affect his future conduct? If duplicity and mental reserve be practised on this solemn occasion before God, What security can he give, that he will not practise it before men? *Amor Dei est fundamentum virtutis.*

But, at Cambridge, a great point has been thought gained, by a *bonâ fide* subscription^b. Yet if our youth becomes a public teacher in the national church, the terms are then enlarged. The discipline, the ceremonies, the doctrines, the creeds, every article of the church must be subscribed literally, grammatically, heartily; and at a pe-

^b See p. 3, 4. of this Inquiry. Of the *bonâ fide* subscription, Mr. Friend justly remarks, *Idem monachus, sed alio cucullo indutus!* Thoughts on subscription, 2d edit.

riod, when reason, philosophy, and a knowledge of the sacred scriptures have proved many of them, at least, false. When church rulers have themselves acknowledged them absurd—and when this is now become the sentiment of the most sensible part of the nation. What will be the consequence?

Men of timorous minds will suppress inquiry, lest conviction should endanger their comforts; they will continue indolent, and ignorant, instead of labouring to know the truth; they will laugh away their time in trifles and impertinence, or sink into voluptuousness and ease: or they will affect a kind of clerical state, that flimsy veil, behind which, ignorance is wont to conceal itself, and to challenge a character of wisdom. And these ministers of Christ become public nuisances!

Happy would it be for the church of England, if the dissipated part of her clergy only were injured by subscription! But, alas! men of the best dispositions, and of the most upright intentions, will feel its malignant influence. Their honest hearts will be kept in subjection to ancient prejudices! They will too easily acquiesce in public authority! And, thinking it presumptuous to pursue inquiry out of that circle, which has been drawn by their religious superiors, they will receive trifles as matters of importance, and the mistakes of mortals for the realities of TRUTH!

Men of superior talents and speculative dispositions will, perhaps, indulge themselves in religious investigation—but, will their practice correspond with their speculations? If men believe one thing, and profess another, what shall we say. Yet, alas! how often will this be the case!

The enlightened and gracious clergy, (so some choose to compliment each other) have been sometimes known to

have had light thrown into their minds on subscription, and serious impressions have been made. Those articles, particularly, which relate to church government, they have, many of them, been secretly disaffected to. But what a prospect of usefulness in the church! They love the serious dissenters—but a dissenting meeting-house has little that is friendly to ministerial importance—Ah!—heart of man! How often will cant, and grimace, supply the place of love of truth! And the desire of popularity furnish cogent arguments against the doctrine of the cross!

Subscription tends to make the most sacred things matters of form, the most awful things trifling and unimportant. What made heathens tremble^c, christians “practise with a sigh, or a smile.” And what evils may not be expected, when truth becomes a play-thing, and an oath an affair of sport. Allured by a present interest, or in prospect of want, do the laws of religion operate, will the obligation of oaths bind? Dreadful then was the day when an oath was first applied to the present purpose!—“Oaths directed against the natural sentiments of mankind, never bind^d.” —Ah! what shall I say?—read the writings of divines, they plead for oaths; they plead also for the violation of them!

Subscription to any articles would endanger virtue. Let them be ever so true, they will become the foundation of prevarication and hypocrisy. For in pursuit of present gain, men do not usually ask, “What is true, but what is convenient?” But what shall we say, if the system itself

^c Οστις δε τῶτων (i. e. ὁρκῶν) συννοιδεν εαυτῷ παρημεληκώς, τῶτον αὖ ποτ' ἀνέγω ευδαιμονισαίμαι, τὸν γὰρ θεῶν πολέμον, οὐκ οἶδα ἢτε ἀπο ποίῃ ἀνταχῆ φεύγων τις ἀποφύγοι, ἢτε ἐς ὅποιον ἀνέσκοτος ἀποδύη, ἢτε ὅπως ἐν ἐπὶ οὐχέον ἀποσείη.
Xenophon de Expeditione Cyri, l. 2.

^d Beccaria.

be full of corruption? Men may innocently maintain many errors, while they are not as yet discovered. But when errors are once detected, to profess them still as truth, is monstrous guilt! That the present articles are a string of errors, is not the mere opinion of a solitary inquirer, nor a sentiment of modern date*. And while in this more improved state of society, the same false system continues to be subscribed, the moral evil will be in proportion to our increase of knowledge—It cannot be qualified; “In vain we talk of tacit reformations.” These only teach us a lamentable truth—that our light is more than our virtue. If men see the straight line of conduct, and still pursue the crooked one of error, with whatever pleasing prospects they amuse themselves, their path does not lead to honour.

Thus will subscription affect, thus hath it affected individuals: but when we consider an enormous system, raised on principles, so injurious to christianity, authorized by custom, receiving the sanction of law, and a subscription to its truth becoming the practice of a nation, the evil becomes infinite! A contemplative mind, accustomed to trace effects to causes, will pursue much national wickedness to this source—What thus becomes established, continues for ages, and stabs principle in its very vitals!

I have often represented to myself some venerable reformers now no more, still residing in this world; and to their strict integrity, adding all the advantages of modern improvements, contemplating the evils of subscription†. Such men were bishop Latimer, Socinus, Mr. Barclay, and the late excellent Dr. Jebb, men distinguished by a

* See chap. 7. of the Second Part of this Inquiry.

† See bishop Latimer's Sermons, and Mr. Barclay's excellent Address to Charles II. prefixed to his Apology for the quakers.

difference in their religious sentiment, and different in their manners; but animated alike with sincere piety, and unyielding integrity, and over-awed neither by kings, statesmen, priests, nor philosophers.

If they had been addressing majesty, they might have said, Oh! Sire, “by reason of swearing the land mourneth.” As the king of a brave and generous people, hold thyself the guardian of their civil and religious liberties. But let the empire of christian kings be exercised not over the faith, but the affections of the people. Thou art called, and thy forefathers were called the defenders of the faith. But that title, at least, is no jewel in thy crown. Truth rises from a basis, which will give it support, and the arm of monarchy can give it no strength. Profess that religion, which thou believest to be true, but intermeddle not with the faith of those, who are called thy subjects. Encourage them not to tamper with oaths: when the eloquence of the passions pleads, the honours and riches of the world have great size: thither the expectations and desires of mankind will hasten. But when conscience is, indeed, bartered for riches, when the sacred name of the king of nations is prostituted before the shrine of ambition, when oaths are treated as political manœuvres, and religion as the art of governing mankind, will the morals of thy subjects receive no injury? Be not surprised to find statesmen without honour, and prelates without piety. Know that thy statesmen, thy priests, and thy prelates, are many of them too well taught, inwardly to assent to those maxims, to which they swear, or to believe those creeds, to which they subscribe. Ah! Sire, “by reason of swearing the land mourneth.” Are there no reformers in modern times? Should such men arise, let not princes retard their wishes. Listen not to the voice of prelates.

They, alas! have an interest in error². All the pride of distinction, and all the insolence of wealth, whatever gives them importance in society, or cherishes the rising hopes of their families, are supported at the expence of NATIONAL IGNORANCE.

If princes appear inattentive to distress, or favourable to oppression; if they oppose the claim of conscience, and hear not the sigh, the language of which is, LET ME NOT OFFEND MY MAKER, the sigh, WHICH IS HEARD IN HEAVEN; What will the accusers of privileged orders³, the disturbers of the repose of monarchs, say? Perhaps, that royalty is nothing but a state pillow decorated with ornaments, on which selfishness reposes in splendor, while pride is gratified with the tinsel: perhaps, that monarchy, originated in oppression, and can only be perpetuated by intolerance: perhaps, that “they oppose monarchy, believing it to be something, as courtiers laugh at it, know it to be nothing¹.”

If they had been addressing the clergy and the prelates, they might have said, By the courtesy of mankind ye are approached with titles of religious respect: but, inquirers after truth suffer those titles to have no superstitious influence over them. The voice of simplicity and truth addresses you. If ye be, indeed, disciples of the GREAT TEACHER, prove it by attending to the dictates of reason, and to the precepts of christianity. Illustrious were the men, who laboured to improve society in the sixteenth century; we call them reformers, and think them enti-

¹ ΕΝΕΙΚΑ ΔΕ ΧΡΗΜΑΤΩΝ ΜΗΔΕΝΑ ΘΕΟΥ ΟΜΟΣΗΣ, ΜΗΔ' ΑΥ ΕΥΣΚΕΙΝ ΜΕΛΛΗΣ. ΔΟΞΗΣ ΓΑΡ ΤΟΙΣ ΜΕΝ ΕΠΙΟΡΚΕΙΝ, ΤΟΙΣ ΔΕ ΦΙΛΟΧΡΗΜΑΤΩΣ ΕΧΕΙΝ. *Isocrates ad Dimonicum* apud *Stobæum*.

² See Mr. Barlow's Advice to privileged orders, part 1.

³ Mr. Paine's Rights of Man, part 2. and part 1. p. 87. edit. 2d.

tied to the name. Nor were others less so, who, through the prejudices and imperfect knowledge of former times, were called heretics, and schismatics. Not, however, to dispute this; if we had not weighed the circumstances of the present controversy, we should have felt the strangest surprise at the state of the church since the reformation. For, Was not the reformation left unfinished^k? Did not the reformers even avow it? Did they not suppose that future times would have made further improvements? But have their expectations been answered? Alas! far from promoting a reformation, ye are the very men, who have laboured to obstruct it. Do ye, indeed, believe the articles of the church? Have not some of you even petitioned against subscription? And if ye believe not the articles yourselves, with what grace can ye impose them on others? Ye lords and masters of the church, by law appointed, ye christian rabbis, “by reason of swearing the land mourneth.” Youths of abandoned morals will take oaths without shame. But some have moral feelings, and they tremble in your presence. Imagine not the pale down-cast look always flows from the sight of episcopal greatness. There is a voice within, which says, “Reverence an oath.” And in spite of every salvo, that voice will sometimes be heard. When a petitioner for orders takes in his hand a greek testament, his speech sometimes falters. Do not misinterpret that disorder. It proceeds not always from a doubt of success, or from consciousness of ignorance, but, frequently, from a sound understanding, too well convinced, that the contents of the sacred book and of the articles are at variance. And do ye still continue to vote for darkness? Hear then the charge, that has been brought against your order; that

^k See Pierce's Vindication, &c. p. 1. and c. 6, 7. of the Second Part of this Inquiry.

prelates are, by office, enemies to liberty, and obstacles to the progress of truth. And while ye combine against mankind in order to retain your own greatness, and keep them in ignorance to render yourselves conspicuous, and while by countenancing ancient superstitions and absurdities, ye retard reformation, affect no surprise at the increase of infidelity. The present system of political priesthood has no strength to resist it. On the contrary, from that quarter it receives its principal support. Prelacy is founded in error, and perpetuated by worldly policy. The defence of her anti-christian positions hath awakened suspicions against the credibility of christianity *. We charge it with crimes of the grossest nature. Time was, when kings were formed into tyrants, and the people into slaves, by prelacy. And we still charge pride and ambition, cruelty and oppression, impiety and hypocrisy, on prelacy. Every mark of the kingdom of antichrist we charge on prelacy. And on subscriptions and oaths, by which ye bind fast ancient errors, and unrighteously imprison the truth, we charge every species of abomination. “By reason of swearing the land mourneth.”

If they had been addressing our seats of learning, they would, perhaps, with all their respect for those learned bodies, have been sparing of compliments. They might have said; Genius and literature we approve and admire, but in proportion only to their advantage to society. Many literary discoveries, within the two last centuries, have enlightened mankind.—Have no improvements been made in the sciences of government, of ethics, and of theology?—Conceal it not from mankind! Such discoveries have been made; discoveries, which undermine subscription to the very root, and ye are in possession of them.

* Dr. Disney's Memoirs of Dr. Sykes, p. 138, 139.

By the force of genius ye have darted upon some truths, the evidence of which ye cannot now resist: an acquaintance with sacred literature has taught you the gross impositions, which have misled mankind. Dare to undeceive the christian world! Take the mask from priestcraft. Court not worldly honour at the expence of TRUTH. Imitate Jesus, your master, and shun not the cross. Be benevolent, generous, and independent—Do society the lasting growing benefit, to exhibit truth.—and future ages shall rise up and bless you! We are not, and ye know it, contending for trifles. It is not a surplice, a gown, or a cross, which is the ground of complaint. But something of far greater importance. “By reason of swearing the land mourneth.” But if instead of stripping the mask from priestcraft—ye wear it yourselves.—If the weight, which ye ought to throw into the scale of truth, ye throw into that of error. If ye study to sophisticate the understandings of mankind, and to make the worse appear the better cause: if so, be not deceived; what a man soweth, that shall he also reap. Genius and literature are entitled to respect, but so far only, as they benefit society:—when they conceal errors, which they ought to expose; when they countenance maxims, which they ought to discredit, a genius is below a fool, and a philosopher beneath a clown.

They might, perhaps, have reminded the university of Cambridge, that many voices both of dissenters¹, and its own members, have addressed them, bearing testimony against religious oppression. They might have reminded it¹ of the noble testimony of one of its Tutors (still recent in

¹ Alludes to several publications of Mr. Lindley's, Dr. Priestley's, Mr. Robinson's, and Mr. Wakefield's, against Subscription.

their memories) blushing, in the face of the university, for the age and country, in which he lived, and for the honour of that learned seminary^m. They themselves also might have blushed, that this testimony had only been answered by an ejectionment from a respectable employment, and from the board of a CHRISTIAN SOCIETYⁿ! They would still have reminded it of the generous efforts^o, that have been made by some of their most learned members to deliver one of the most respectable seminaries in Europe from the cruel bondage of subscription: and encouraged by such examples, and aware of the extensive powers of a university, they might have expressed their hope, that the spirit of liberty would soon arise, and impatient of anti-christian restraints, throw open the avenues to truth.

Perhaps, with the late disinterested Dr. Jebb, such reformers might have reminded future petitioners, that in a case which regards the repeal of laws, the legislature, and not a convocation, should be addressed^p. Perhaps they might have reminded a HOUSE OF COMMONS, if they had been addressing them, that such a house is supposed to be a house of MERCY, the ASYLUM of liberty, not the receptacle of intolerance or corruption. Perhaps they might have reminded them, that a petition for rights, and a complaint of grievances, have too much importance to be treated with neglect; too much dignity to be treated with insolence; sacred as the breath of prayer, or the sigh of the martyr.

^m Alludes to a Sermon, preached by Mr. Frend at St. Mary's, which, it is to be lamented, was never published.

ⁿ See Appendix to Mr. Frend's Thoughts on Subscription, 2d edit. For the treatment that Mr. Frend received from the society for promoting christian knowledge, see an account of some late proceedings of the society for promoting christian knowledge, &c. and Mr. Frend's Address to the society, published in 1789.

^o By Mr. Tyrwhit, Dr. Jebb, and Dr. Edwards.

^p Dr. Jebb's Works, vol. 1. Letters, &c. to the house of commons.

The

The sovereign of the universe hears the prayer of the oppressed. And when virtue complains of wrongs, it is the voice of the Almighty declaring against the oppressor. *Vox populi est vox Dei.*

Perhaps, after all, for I still suppose reformers of ancient times now residing in Britain, animated by the great events that have lately taken place in Europe, and dating from that new era in politics, now commenced in the world, perhaps, I say, they might have revolved in their minds, that churchmen and dissenters had repeatedly urged their wrongs, and had been repeatedly resisted: they might have warned them, that if they urged them again, they would, probably, be resisted again. And, perhaps, amid the latent truths, that lie buried in the rubbish of politics, they might have selected one on which the political salvation of a people depends. It is, that when governments are either too feeble or too corrupt to heal the disorders of a nation, a nation should become its own physician.

Friends, brethren, and countrymen, they might have said*, We are at length arrived at that epoch in human affairs, when important political truths are destined not merely to adorn the pages of books, but to improve the order of society; when maxims, which men of reflection have long since ascertained, nations have adopted. In England, the majesty of the people has been long insulted: and complaints, which ought to have met with sacred regard, been received with all the vulgarity of insolence: opposed by the voice of ambitious men, or perplexed by the solemn manœuvrings and hypocrisies of government. What remains, then, but that jarring interests form one stock of public spirit? That inquirers after truth, the friends to philosophy, and the advocates for liberty, unite in one

* This regards not subscription merely, but a REFORM of GOVERNMENT.

body, to bear their testimony against a government that oppresses them. A statement of facts is the best chain of arguments, and the voice of a nation an irresistible plea: "Admit only the original unadulterated truth, that all men are equal in their rights, and the foundation of every thing is laid. To build the superstructure requires no effort, but that of natural deduction¹."

As

¹ Advice to privileged orders, by Joel Barlow, Esq. part 1. p. 90.—The following so nearly resembles our case in England, and presents a model so worthy of imitation, that I shall insert the whole without any apology.

EAGLE, *Euſſace-Street*, 9th Nov. 1791.

At a Meeting of the SOCIETY of UNITED IRISHMEN of DUBLIN,

The Hon. SIMON BUTLER in the Chair,

The following was agreed to:—

When we reflect how often the freemen and freeholders of Dublin have been convened, humbly to express their grievances to parliament—how often they have solicited the enactment of good, and the repeal of bad laws—how often, for successive years, they have petitioned against the obnoxious and unconstitutional police act—and how often all these applications have been treated with the most perfect contumacy and contempt!—When these facts are brought to recollection, is there an honest man will say, that the House of Commons have the smallest respect for the people, or believe themselves their legitimate representatives?—The fact is, that the great majority of that House consider themselves as the representatives of their own money, or the hired servants of the English government; whose minister here, is appointed for the sole purpose of dealing out corruption to them—at the expence of Irish liberty, Irish commerce, and Irish improvement.—This being the case, it naturally follows, that such minister is not only the representative of the English views against this country, but is also *the sole representative of the people of Ireland*. To elucidate which assertion, it is only necessary to ask, whether a single question in favour of this oppressed nation can be carried without *his* consent?—And whether any measure, however inimical, may not, through *his* influence, be effected?

In this state of abject slavery, no hope remains for us, but in the sincere and hearty union of *all the people*, for a complete and radical reform of parliament; because it is obvious, that *one party alone* have been ever unable to obtain a single blessing for their country; and the policy of our rulers has been always such, as to keep the different sects at variance, in which they have been but too well seconded by our folly.

For

As some of the preceding remarks are made with great freedom, and may appear to some to favour of illiberality, justice

For the attainment, then, of this great and important object—for the removal of absurd and ruinous distinctions—and for promoting a complete coalition of the people—a club has been formed, composed of all religious persuasions, who have adopted for their name—**THE SOCIETY OF UNITED IRISHMEN OF DUBLIN**, and have taken as their **DECLARATION**, that of a similar society in **BELFAST**, which is as follows:

“ In the present great æra of reform, when unjust governments are falling in every quarter of Europe; when religious persecution is compelled to abjure her tyranny over conscience; when the rights of men are ascertained in theory, and that theory substantiated by practice; when antiquity can no longer defend absurd and oppressive forms against the common sense and common interests of mankind; when all government is acknowledged to originate from the people, and to be so far only obligatory as it protects their rights and promotes their welfare; we think it our duty, as Irishmen, to come forward, and state what we feel to be our heavy grievance, and what we know to be its effectual remedy:

“ **WE HAVE NO NATIONAL GOVERNMENT**—We are ruled by Englishmen, and the servants of Englishmen; whose object is the interest of another country; whose instrument is corruption; whose strength is the weakness of Ireland; and these men have the whole of the power and patronage of the country, as means to seduce and subdue the honesty and the spirit of her representatives in the legislature. Such an intrinsic power, acting with uniform force in a direction too frequently opposite to the true line of our obvious interests, can be resisted with effect solely by *unanimity, decision, and spirit in the people*; qualities which may be exerted most legally, constitutionally, and efficaciously, by that great measure essential to the prosperity and freedom of Ireland, **AN EQUAL REPRESENTATION OF ALL THE PEOPLE IN PARLIAMENT**.

“ We do not here mention, as grievances, the rejection of a place-bill, of a pension-bill, of a responsibility-bill; the sale of peerages in one house; the corruption publicly avowed in the other; nor the notorious infamy of borough traffic between both; not that we are insensible of their enormity, but that we consider them as but symptoms of that mortal disease which corrodes the vitals of our constitution, and leaves to the people in their own government but the shadow of a name.

“ Impressed with these sentiments, we have agreed to form an association, to be called **THE SOCIETY OF UNITED IRISHMEN**; and we do pledge ourselves to our country, and mutually to each other, that we will steadily support, and endeavour by all due means to carry into effect, the following resolutions:—

A 2 2

“ I. Resolved,

justice to myself requires me to make the following declaration. In regard to myself, then, independent of a disposition,

- “ I. Resolved, That the weight of english influence, in the government of this country, is so great as to require a cordial union among ALL THE PEOPLE OF IRELAND, to maintain that balance which is essential to the preservation of our liberties, and the extension of our commerce.
- “ II. That the sole constitutional mode by which this influence can be opposed, is by a complete and radical reform of the representation of the people in parliament.
- “ III. That no reform is practicable, efficacious, or just, which shall not include *Irishmen* of every religious persuasion.

Satisfied as we are, that the intestine divisions among Irishmen have too often given encouragement and impunity to profligate, audacious, and corrupt administrations, in measures which but for these divisions they durst not have attempted, we submit our resolutions to the nation, as the basis of our political faith.

“ We have gone to what we conceive to be the root of the evil; we have stated what we conceive to be the remedy.—With a parliament thus reformed, every thing is easy; without it, nothing can be done. And we do call on, and most earnestly exhort our countrymen in general, to follow our example, and form similar societies in every quarter of the kingdom, for the promotion of constitutional knowledge, the abolition of bigotry in religion and politics, and the equal distribution of the rights of man through all sects and denominations of Irishmen.

“ The people, when thus collected, will feel their own weight, and secure that power which theory has already admitted as their portion, and to which, if they be not aroused by their present provocations to vindicate it, they deserve to forfeit their pretensions FOR EVER.

ORDERED, that the foregoing be printed for the use of the members.

JAMES NAPPER TANDY, *Secretary.*”

I cannot forbear adding, that in promoting a NATIONAL REFORM nothing would be more useful, than establishing book societies through the kingdom, whose sole object might be the distribution of small political pamphlets among the lower ranks of people, such as “a political Dialogue” lately published, and printed for Mr. Johnson, St. Paul’s Church Yard; The Patriot also, printed for Mr. Robinson, Paternoster Row; and cheap editions of Mr. Paine’s Rights of man. Parents also, in helping forward the same design, should turn their attention to the HOPES OF THE NATION, the rising generation. The true female character also should be asserted, and the rational woman, rescued from

sition, not naturally disposed to invective, and of a conviction of my own fallibility, other powerful motives conspire to suppress the risings of malevolence, and to restrain the sallies of invective. I have to take shame, that the hand, which now writes against subscription, has yet subscribed itself; and though I never entered the church, and have kept aloof from many other agreeable prospects, I claim no merit, and think myself entitled to no praise; acting frequently, as I have done, both in regard to the church, and other views of interest, from suspicions, surmises, and partial discoveries, rather than from clear conceptions, and settled convictions. Amid the frailties of one's own nature, the disorders of society, the sophisticated systems of political errors, that perplex nations, and those great declensions from christian truth and simplicity, which have taken place in the christian world, Who can understand his errors? Folly and affliction are interwoven in the life of man; so as to make this acknowledgment of all others the most reasonable, not unto us, Jehovah! not unto us, but to thy name be the praise. Oh! Jehovah, righteousness belongeth only unto thee; but unto us confusion of face! Besides the religious principles, which I hold, are utterly inconsistent with a malevolent, and illiberal spirit of judging. For believing, as I do, that the rational, as well as the material world, are subject to laws, imposed on it by infinite power and wisdom, I conclude it will, also, be over-ruled by infinite benevolence. The toils of the laborious, the pains of the afflicted, the disappointments of the young and sanguine, the anxieties and pressures of the

from the insolence of tyrant man, should instil into young minds the rights of man and the rights of woman. See Mr. Locke's *Treatise on Education*, and an elegant and judicious performance, entitled, *A Vindication of the Rights of Woman*, part 1. ch. 2. By Mrs. Mary Wollstonecraft. Mr. Robinson's judicious Plan of Lectures on the principles of non-conformity, would well employ dissenting ministers.

aged, in short, the whole compass of human misery, is but preparatory to, and, perhaps, necessary for, a more complete and durable happiness; and in the same manner, all the errors that have been sown in the world, and all the obliquities of human conduct, together with their concomitant evils, and punishments, are preparing the way for a perfect exhibition of truth, and a firm, permanent, eternal virtue. It was expedient (doubtless) in the divine œconomy, (for whatsoever is done upon earth, God doeth it,) that the gold and silver of divine truth should be debased, that its partial blessings might be accommodated to the imperfect conceptions of the nations; and it may be necessary, that some of the base coin should yet be current. But the time will come, when every thing that is false will disappear, and pure, unadulterated christianity be more clearly understood, and more highly prized, after a temporary debasement: it being the prerogative of the great Being, to bring good out of evil. Yes! the ancient prophecies must be yet fulfilled, every tumult be silenced, and every disorder of society rectified by the glorious gospel. The peaceful reign of the King of truth is yet to come. The nations must learn war no more. The man of sin must be wholly consumed and destroyed. The kingdoms of the world must become the kingdoms of our God and his Christ. In short, we look for a new heaven, and new earth, wherein dwelleth RIGHTEOUSNESS.

These considerations make me at perfect ease in regard to the conduct of my fellow creatures; and where I may, in an investigation on the nature of subscription, seem to act inconsistently with this profession, I would be considered as expressing a just indignation against the evils necessarily attendant on an erroneous constitution of things, rather than as trifling with the imperfections of individuals.

For the same reason, while I express my indignation against our present government, I feel no resentment against the persons of our governors. They are acting the part assigned them by the harmonizer of nations: and the means they are taking to promote discord, shall terminate in peace. I too, am moving in the sphere assigned me by my Maker. As to my treatment of SACRED institutions, such as churches and governments, Does any one think me acting out of the line of christian duty, warn me to submit to the ruling powers, and either express indignation, or feel compassion at a rebellious spirit? I would urge, Yes, I will submit, but against the power that oppresses I will yet bear my testimony. Oh! man, thy censure, thy praise, and thy pity, may be alike misplaced. Leave me to his mercy, who judgeth righteous judgment.

At the same time, while I make every concession to imperfect conceptions, to the weak resolutions of man, of man in whom God worketh all things, after the secret purposes of his own will, yet surveying the degeneracies that have overspread the protestant world with strong feelings, and entirely agreeing with Mr. Hartley in his judgment of the corruptions of all religious establishments, I can, by no means, accede to the following sentiment of that great man. "It follows," saith he, "that good men should submit to the ecclesiastical powers, that be, for conscience sake, as well as to civil ones^r." For, if all religious establishments are the contrivance of human folly, and if their destruction is foretold by divine prescience; if the same wisdom, that permits them for a time, is, however, by means, preparing the way for their total demolition; and further, if what unites gives strength and perpetuity to a building, and if a separation only weakens and dissolves it,

^r Hartley's Observations on man, vol. 2. p. 372. 1st edit.

then, ought this language to be received by christians; “Come out from among them, and be ye separate, and TOUCH not the UNCLEAN THING.” While candour would do justice to the talents and even the intentions of Hoadleys, Clarke, and Sykeses, TRUTH would say, YET SHEW I UNTO YOU A MORE EXCELLENT WAY^s: a way on which real difficulties must be engaged, but on which true honours attend.

^s See a valuable work, entitled, *Memoirs of the life and writings of Arthur Ashley Sykes*, by Dr. Disney, Pref. p. 4. and p. 56. and p. 120. to 128.

A P P E N D I X.

THE following short remarks are made to clear myself of a suspicion of partiality in my references to the apostolical Fathers, in speaking on the divinity of Christ. I was not ignorant, then, that in the first of these writers, Barnabas, there are many passages, which favour the doctrines of the pre-existence, and divinity of Christ. But the authority of the reputed Barnabas had little weight with me, convinced as I was from internal marks, as well as the testimony of Eusebius, (who seems to speak of it, not only as a spurious scripture, but as written also by an uncertain author), that the "catholic epistle," ascribed to Barnabas, could not have been written by the apostle of that name. Of this judgment were Archbishop Laud, Usher, Cotelerius ^a, and others, whose system this epistle favours, as well as Dr. Priestley, Mr. Wakefield, and other writers, whose system might seem to require such an expedient. And even admitting, that the epistle was written by the apostle Barnabas, yet several of the passages brought into this controversy, to prove the divinity of Christ, have, indisputably, been interpolated, as is apparent from the latin version. This writing was composed, most probably, in the middle of the second century. And even if the

^a Testimonia de Barnaba.

apostle of that name wrote it, we have the authority of a greater apostle for saying, Though we or an angel from heaven preach any other gospel, let him be anathema! Unus Paulus ante mille Barnabas.

When I read *Hermas*, or *Hermes*, the next writer, called apostolical, I was of opinion, that he believed the doctrine of Christ's pre-existence. But I paid little regard to his authority, from a persuasion, that neither could "the shepherd" be the production of an apostolical man; some parts of it being inconsistent with that purity, to be expected of such a character: which led Tertullian, and many others to reject it, at least as canonical. Since I have read Mr. Wakefield's remarks on that passage in *Hermas*, which has been thought so clearly to favour the divinity of Christ, I am convinced it is quite consistent with his mere humanity, whatever be determined of the authenticity of the writing. I shall not repeat what Mr. Wakefield has said, but refer to his performance^b. I only add, that in the third book of "the shepherd," which has been thought to favour the creation of the world by Jesus Christ, creation is expressly assigned to the Father^c. And where the Lord, or the Father, is said to take counsel with the Son, yet Christ is spoken of as a servant: and though he is called the "Lord of his people," yet all his power is said to be received from the Father. It is also added, that the holy spirit was first of all infused into his body, (Christ's) in which God might dwell: for he placed understanding in him, as seemed to him good^d. It is clear,
I think,

^b An Enquiry into the opinions of the christian writers of the three first centuries, concerning the person of Jesus Christ, p. 318.

^c Dominus autem fundi demonstratur esse is, qui creavit cuncta, 1. 3. Sim. v. 5.

^d This is most probably the meaning of the passage, considered in its connection; it has evidently been corrupted, and, as it lies, is quite unintelligible. Quia nuncius

I think, that Hermas believed the pre-existence of Christ, though not what is improperly called his true and proper divinity.

I was clearly of opinion, when I read Clement's admired epistle, that there was nothing in it, which favoured the pre-existence of Christ, much less his equality with Jehovah. Since what I wrote on that subject was printed off, I have read bishop Horsley's charge to his clergy, when archdeacon of St. Alban's. And that writer's interpretation of the following passage, as applied to Christ, (whom he supposed the second person in the Trinity) has further convinced me, I was not mistaken in my sense of the passage. Clement speaks, as follows. "The sceptre of the majesty of God, our Lord Jesus Christ, came not in the pomp of pride, and arrogance^c, though he had it in his power." Now to say, the supreme Being could have come in arrogance and pride, is not only gross anthropomorphism, but approaches to blasphemy. This consideration led Jerom to translate it, cum omnia possit, καίπερ πάντα δυνάμενος; and one of Clement's expositors observes, that πάντα seems to be wanted here; for if δυνάμενος, he had it in his power, be read alone, it should seem to imply, that he could have come in the pomp of pride, which is not true. How very true is this remark, if we imagine Christ the supreme Being! But supposing Christ to have been a mere man, (and I am clear the connection of the passage implies he was no more,) and every thing is natural, nor will πάντα be wanted to make the place feasible, being exactly parallel to what is said of our Lord in the new Testament:

nuncius audit illum spiritum sanctum, qui infusus est omnium primus in corpore, in quo habitaret Deus. Collocavit enim eum intellectus in corpore, ut ei videretur.

^c Bishop Horsley's charge, &c. p. 15.

The sceptre of the majesty of God being evidently an allusion to the apostle; Concerning the Son, he says, God is thy throne for ever and ever, a sceptre of righteousness is a sceptre of thy kingdom, as the latter part is to Phil. ii. 6^f. When it is said of Christ, He came not in the boasting of arrogance, &c. it alludes not, I conceive, to a pre-existence, but to his mission, as it is said of John, He came not eating and drinking, Matt. xi. 18. Paul says of himself, And I, brethren, when I came to you, came not with excellency of speech, or wisdom. In short, this expression occurs frequently in the new testament, and is applied to the pretensions of true and false prophets, and teachers indifferently, in the same sense as being sent; which latter phrase used in the gospels relates evidently to our Lord's mission, as explained by himself, John xvii. 18. As thou hast sent me, ἀπεστέλας into the world, that is, on a mission to mankind; even so have I sent them, ἀπεστέλῃς, into the world. Thus the same evangelist, There was a man sent from God, ἀπεσταλμένος, and so throughout John: hence ἀποστολος, an apostle, one who had a divine commission; πειμπω by Sophocles, and ἐπιπεμπω by Plato, are used in the same sense, in which they occur throughout the gospel of John: ἐξέρχομαι, to go forth, is used in the same sense in the new testament, and applied to the pretensions of true and false prophets indifferently. So that Clement's phrase is evidently derived from the phraseology of the new testament, and means nothing more than that the mission of Christ was not attended with circumstances of pride and ostentation. If Christ was a man in all things like unto us, the superior station, in which he was placed as a prophet, justifies this expression of Clement's, and many

^f See Wakefield's Enquiry, &c. p. 178.

similar passages in Paul's writings, referred to Christ: for he had great temptations to vanity and pride, yet was meek and lowly of heart.

I gave my reasons for not quoting Ignatius in this question. Every body knows, that his epistles have passed through the hands of roguish saints. However, they speak the language of orthodoxy; and bishop Horsley thinks that enough. He has produced a very disputed passage in Ignatius's epistles ^g, in proof of the eternal existence of Christ, in the strict and absolute sense; when yet it is not sufficiently clear, that the person, against whom the passage is supposed to have been directed, lived at the time, and, indeed, by comparing the place, as it lies in the GENUINE epistles, with the interpolated, it appears very probable, that the former was corrupted after the latter, by a mark similar to what Mr. Wakefield has observed of other passages. Besides, neither does *αἰδι*, any more than *αἰων*, as applied to the *Λογ* by ancient writers, relate to absolute eternity, as is manifest from Philo, Eusebius, and others, who speak of the *Λογ* as *αἰδι*, yet neither of them in the sense, for which Bishop Horsley contends ^h. A circumstance which I am surprised should have escaped so "competent a grecian, and one so well acquainted with ancient writers." There is a passage in Polycarp's epistle to the Philippians, in the explanation of which our bishop triumphs not a little. It is this. Every one who shall deny, that Jesus Christ has come in the flesh, (or more properly in flesh, *ἐν σαρκί*,) is antichrist; and whosoever shall deny the testimony of the cross is of the devil; and whoever shall pervert the oracles of the Lord to his own lusts,

^g Ος ἐστὶν αὐτῷ αἰδι. Λογ. ἢ ἀπὸ σιγῆς παρελθὼν.

^h See this matter discussed in Mr. Whiston's Letter to the Earl of Nottingham.

and

and say there is neither a resurrection nor a judgment (not any resurrection, for they supposed the resurrection was past) he is the first-born of Satanⁱ. In opposition to Dr. Priestley, who has asserted very properly, I think, that Polycarp was here only describing one sect, bishop Horsley maintains he is describing three: viz. those who denied our Lord's coming in the flesh, those who denied his sufferings, and those who denied a general resurrection and a future judgment^k. But surely the learned doctor is mistaken. It is highly probable, I may say certain, that Polycarp is here describing the same people as Ignatius in his epistle to the Smyrnæans. "All these things," says the latter, "he suffered for us, that we might be saved; and he truly suffered, as he also truly raised himself, not as those faithless men say, he only suffered in appearance"^l (hence called docetæ). Let it be observed, that Ignatius in the last clause only speaks of those who denied his sufferings, and yet he is speaking of the same men, who denied also his resurrection. Nor is this all. Ignatius, speaking of the same men, (whom however he had not spoken of under that term before) says, "they blaspheme my Lord, denying that he bore flesh, μη ομολογῶσι αὐτον σαρκηφορον^m," which, if I am not mistaken, means exactly the same as Polycarp's denying, that Jesus Christ is come in flesh; and as these passages lie in Ignatius's shorter epistles, which this man of learning says are "supposed to contain the genuine text," and are "every where analogous to the christian faith," the single expressions of Ignatius may be received as explanatory of Polycarp's, that is, they both refer to one sect, the docetæ. Further: It is a question, says bishop Horsley,

ⁱ Ep. ad Phil. 7.

^k Bishop Horsley's first Disquisition.

^l Epist. ad Smyrn. § 2.

^m Sect. 6.

whether

whether the shorter epistles are from the abridged, or the longer from interpolated copies: admitted. To say however the least, the interpolated may be sometimes received as explanatory of the genuine, they contain what is implied in them here, and in terms too perfectly corresponding to the whole passage in Polycarp's epistleⁿ. They at least take in the three ideas; and all the flourishes of the learned doctor about his three sects come to nothing. However, should it even be admitted, that Polycarp is there describing three sects, still the expression of Christ's coming in flesh does not amount to what our critic affirms; not even in its natural sense: nor is there any other single expression throughout the epistle, that can justify bishop Horsley's notion of Christ's pre-existence, much less of his divinity: As to his St. Barnabas, in whom he finds evidence so "direct and full" on this phrase of Christ's coming in flesh, as to call it "positive evidence," it will be his wisdom to make the most of it. But, till I find some better authority proving it to be the production (I do not say of an apostle, but) of the apostolic age, than I have yet found, I shall place it among the nugæ aniles of antiquity, and say of its authority what he improperly says of Dr. Priestley's "whole mass of evidence,"

—it is light as air, and kicks the beam^o.

After all, pure unadulterated scripture is the basis on which this doctrine rests. There is one God, and one Mediator between God and man, the man Christ Jesus.

ⁿ In the interpolated, in the 6th section, it reads thus: Let no man be deceived. For if he shall not believe, that Jesus Christ appeared in flesh, and confess his cross, and his sufferings, &c. See Sect. 2. interpol.

^o See bishop Horsley's 8th let. to Dr. Priestley, and first Disquisit.

Εἰς τὰς ἀληθείαις εἰς εὐὴ Θεός,
Ὁς θρανὸν τέτευχε, καὶ γαίαν μαίραν,
Πόντον τε χαροπόν, γῆμα κ' ἀνεμών, εἰαίς ρ.

And here I cannot avoid departing from my original intention to express my suspicions also of the learned doctor's competency in scripture criticism. Thus on the phrase of Christ's coming in flesh. On the supposition that Christ was only a man, was it possible for him, he asks, to come otherwise¹? Yes, most learned doctor, he might have come in spirit; i. e. he might have been extraordinarily gifted and come as a prophet, as he did; he that cometh after me, &c.: and, in the same connection, on whomsoever thou seest the Spirit of God descending and abiding, this is he; and I saw and bare testimony, that this man was the son of God: or he might have come simply in the character of those, who are said to be born not of the will of flesh, nor of the will of man, but of God, John i. 15. Or, considering him as a prophet, the particular circumstances of his coming might have been specified, he might have come eating and drinking; i. e. I suppose without the appearance of a rigid austerity. He might also have come by water, &c. (See 1 John v. 6.) The phrase to come, therefore, in connection with another term, relates only to some public appearance or some particular circumstances in a mission, without any reference to a prior state. When John says, I came baptizing in water, John i. 31. it stands opposed to Christ's coming to baptize with the holy ghost in the same connection. As to the other term, in flesh, that which is born of the flesh is flesh, and relates to mere

¹ Ascribed by some of the ancient fathers, and on their authority by ancient divines, to Sophocles, but proved not to be his by Dr. Bentley, as was hinted to me by Mr. Wakefield.

² Fourth let. to Dr. Priestley.

manhood. Jews after the flesh and Israel after the flesh are natural-born jews. The obvious and natural meaning, therefore, of coming in flesh, is mere manhood, and it would be offering violence to the idiom of the new testament to make it have any other reference. It is not necessary even to admit (as bishop Horsley intimates), before we can suppose he would have used such language, that John was an unitarian; for, as a trinitarian, he might have used it without referring to a pre-existence. As to the whole expression, "coming in flesh," that it has something more specific in it, than being partaker of flesh and blood, may be admitted (though it is not necessary, nor does it add any thing to bishop Horsley's argument), since it had a reference to a people, who said he came in flesh only in appearance.

Speaking of this expression, Forasmuch then as the children were partakers of flesh and blood, he also himself likewise took part of the same, Heb. ii. 14, our critic remarks, in the original, man's connexion with flesh and blood and Christ's connexion are expressed by different words, *κεκοινω-
νῆκε*, and *μετεχῆ*, and to shew that *κοινωνεω* means more than *μετεχω*, he refers to Jamblichus de mysteriis Ægyptiorum. Jamblichus is no proper authority in this case. However I have turned to him, and unfortunately his sense of *κοινωνεω* rather weakens the bishop's argument, than gives any strength to it. I have also turned to Paul, and, if I am not strangely mistaken, Paul uses the term *μετοχῆς* as applicable to Christ in common with those, whose nature he took, which would have been inconsistent, if there had been any weight in bishop Horsley's criticism. But to shew the utter futility of it, the same apostle uses both terms in the same sense, and in the same connexion; the cup of blessing, which we bless, is it not a communion (*κοινωνία*, a partaking in common) of the blood of Christ? the bread which we

break, is it not a communion of the blood of Christ? for we, being many, are one bread and one body, for we are all partakers of that one bread, *μετεχομεν*. 1 Cor. x. 16. So again, ver. 20—30. In parallelisms nothing is more common than to use different terms where no difference of sense is implied; as in 2 Cor. vi. 14, For what fellowship (*μετοχη*) hath righteousness with unrighteousness? or what communion (*κοινωνια*) hath light with darkness? I might also have observed, which seems however to have escaped the penetration of this grecian, that our translation here is wrong: for it should not be likewise took part of the same; but in like manner, in the same manner, *παραλληλως*, (as it is said elsewhere, He was a man in all things like unto us, except sin,) and thus connects with ver. 17, Wherefore it became him to be like his brethren, *αδελφοις*, (corresponding to *μετοχος* elsewhere,) in all things. That the apostle uses *μετεχω* and *κοινωνια* of the same persons and in the same circumstances, see further Gal. v. 7, 11.

Our *ανηρ ελληνικωτατος* also makes a sage remark on Acts ii. 24. Because it was not possible, that he (Christ) should be conquered by it. He says the expression *εδυνατον*, implies a physical impossibility. But our learned critic here again speaks hastily. The impossibility arises from what is said ver. 26, 27, 28, 29. and v. 24, connects with these verses; our critic, too, should have known, that *εδυνατον* is less specific than even *αδυνατον*, and in the purest greek writers (Plato particularly) *αδυνατον* does not always mean what is physically impossible, but what is difficult, or even unlawful, *difficillimum et nefas*. In this sense it occurs in the new testament: the *α* privative, frequently being interpreted by the particle *δυσ*. When the man says in the gospel, I have married a wife, and therefore I cannot come, *ου δυναμαι*; or in Luke xi. 8. I cannot get up to give it thee, *ου δυναμαι*, is
any

any physical impossibility implied ? When John says, Who-soever is born of God cannot commit sin, to say the most, the impossibility could only relate (to speak theologically) to the new or divine nature: but even that is not the meaning here; for not only does James say, In many things we offend all; but the same John observes, If we say we have no sin, we deceive ourselves, and the truth is not in us. On which the bishop himself remarks, Even we christians all offend, without excepting even the first and best of christians, the apostles (sermon on the incarnation); and thus our critic unwittingly destroys the force of his own criticism on *ου δυναμαι*. Phavorinus interprets *δυναται*, among other senses, by *εουλεται*; and in this sense it occurs in Aristophanes, and in the new testament. I will venture to add, it is a common form of speech in all languages. And as *δυνατον* has various meanings, so has *εδυνατον*: moreover, it is common in all languages to speak of things as impossible to happen, when yet nothing is implied but some superior authority restraining; as, How can I do this thing, and sin against God? A divine appointment, or some other previous consideration, may give a certainty to an event which, however, does not proceed from any physical cause. There is a certainty, that this mortal must put on immortality: when yet the physical or natural body is of the earth, earthy; and the certainty of a resurrection proceeds not from any physical impossibility of not being conquered by death; but from the appointment of God, and the resurrection of Christ.

I cannot help, too, observing, that Dr. Horsley, though

* Since writing this, I perceive Mr. Wakefield takes particular notice of the force of this phrase. Mark vi. 5. he translates very judiciously, *ουκ ηδυνατο*, he could not, or he thought not proper: he also refers to Mat. ix. 15. Mark ix. 39. and Gen. xxxvii. 4. LXX. for a similar sense of this phrase.

he had time to recover himself, after the hint from Græculus, respecting the meaning of *αὐτός* in John, seems to have made, at the time, a slip, for which his friend Dr. Busby would not have been very gracious. For though the bishop had time to recollect himself afterwards, and to explain his meaning of “its natural force,” yet I incline to think Homer at the time was taking a nap. For from what he says of the “natural and obvious meaning” of Christ’s coming in flesh, I infer a conclusion not favourable to his critical acumen: he supposes, that it necessarily relates to some prior existence, or that it is “nugatory.”

Whether it was dissingenuousness or ignorance that led this writer to make the following remark on Sir Isaac Newton, I will not determine. The insinuation, says he, contained in this expression, “that the trinity is not to be derived from the words prescribed in the baptismal form, is very extraordinary to come from a writer who was no socinian.” A note in the Historical Account of two notable corruptions in scripture, in a letter to a friend. Sir Isaac Newton’s works, vol. 5. For Newton was, in the strictest sense of the word, a unitarian; as may be seen in the preface of Mr. Haines’s work, entitled, the Scripture account of the attributes and worship of God, and of the character and offices of Jesus Christ. Sir Isaac Newton, in conversation with Mr. Haines, much lamented Mr. Clarke’s embracing arianism, “which opinion he feared had been, and still would be, if maintained by learned men, a great obstruction to the progress of Christianity.” Second edit. I also venture to affirm, notwithstanding the dogmatical airs of this bishop, that he discovers in numerous instances, that I could produce, no small degree of ignorance of the style of the new testament: nor is it at all surprising, that a man, who had not attended to this controversy (as he himself must recollect

lect confessing to an eminent scholar) till within a little time of his engaging with his learned and respectable opponent, should sink at length into the “dregs of enthusiasm,” I do not say of methodism, lest I should seem to borrow from himself contemptuous language, as applicable to a whole sect of christians, who, notwithstanding their mistakes, are entitled to respect. For, as I have no occasion for the bishop’s prudence, I have also none for his insolence: and with what propriety he can adopt such language, it behoves him to reconsider, who has lately avowed his belief in the most irrational part of the methodist creed*.

The various subjects discussed in this Inquiry, and the limits which I have prescribed myself for theological discussion, do not allow me to enter further into the contents of bishop Horsley’s tracts, than to note a few of his remarks on the apostolical fathers, and two or three passages in the new testament. Indeed, I have only looked into the tracts cursorily; yet, græculous as I also am, and even though the learned bishop boasts of being much at home in the greek language, if my limits would allow of it, I would undertake to shew, notwithstanding all his competency in criticism, that he has discovered no competency in interpreting the new testament: and these remarks I take the liberty of making in addition to what Dr. Priestley has said, not to supply any deficiency in his reply, but in confirmation of it: and as they were made before I allowed myself to read his letters to Dr. Horsley, I may be supposed to have been under no bias but that of love of truth; and though I do not entirely agree with Dr. Priestley in all his theological tenets, nor accede to some things in his *Corruptions of christianity*, yet I agree with him in opinion, “that bishop

* In a Sermon published two or three years ago.

Horsley has been rewarded for what he has not yet been able to perform †." I will venture to add, never will be able.

APPENDIX II.

CHURCH DISCIPLINE. MINISTERS. ORDINATION. BAPTISM. LORD'S SUPPER. REMARKS ON THE BAPTISTS, AND THE PEOPLE CALLED QUAKERS.

I OMITTED making any remarks on church discipline in the fourth part of this Inquiry; to which place they properly belonged, having designed to subjoin a few separate thoughts on this subject.

Church discipline is usually made to wear a solemn appearance. The primitive form of government is, sometimes, exhibited, and appeals made to greek and latin fathers. But it would be a curious discovery to find any thing like the discipline of modern episcopacy in the early ages. The civil magistrate not being christian till the fourth century, could not of course regulate the church, according to the claim in the 37th article. The government of christian societies must, then, have been purely ecclesiastical.

But could the ecclesiastical polity of the first ages resemble our modern regimen? The present mode of regulating the church, by an archbishop over a province, and by a bishop over a see, was certainly unknown to those

† Dr. Priestley's xth Letter to the Lord Bishop of St. David's.

times. Bishops and elders were originally one order, or, more properly speaking, the elders were an order of seniors; out of whom were usually chosen teachers. There was a fraternity of these in distinct societies, called the presbytery (πρεσβυτηριον, 1 Tim. iv. 14.) from the language of the Jews. Luke xxii. 66. Acts xxii. 5. which was usually composed of those of longest standing in the society, and who would commonly be the more aged; Cyprian therefore calls them *maiores natu* ^a. But people of superior abilities, and high attainments in religion, were sometimes advanced to this rank, without any regard to standing or age, and yet the appellation was retained, by a similar mode of speech as that, by which we use the word senator or alderman ^b. Timothy was a youth, yet he was a bishop; and Ignatius exhorts the Magnesians to respect their bishop, who was a youth ^c. I cannot help observing here, that the term bishop, or overseer, occurs but seldom in the new testament, and seems not to have been a distinct name of office, but expressive of the duty of an elder, which was that of overseer of the society. That bishop and elder were synonymous, may be seen by comparing Acts xx. 17, 28. and by a fair survey of the first christian writers, particularly Clemens Romanus ^d; Ignatius, indeed, speaks in the most magnificent, in almost idolatrous terms, of the bishop, as he does also of the presbyters, and even deacons. And many excellent writers have not scrupled to affirm, that what he says of church discipline carry the most evident marks of interpolation: and I think so too. However, after all, in

^a Hence in Hermas, cum senioribus, qui præfunt ecclesiæ. l. i. vis. 2. § 4.

^b Hooker's eccles. pol. b. 5.

^c § 3.

^d Κατα χώρας ἣν καὶ πολλοὶ κηρύσσοντες, μαθίσανον τὰς ἀπαρχὰς αὐτῶν, δοξασάντες τῷ πνεύματι εἰς Ἐπισκοπὴς καὶ διακονοῦς τῶν μελλόντων σῶσεσθαι. Sect. 42. In Sect. 54. he has, τῶν καθισταμένων Πρεσβυτέρων.

Ignatius the bishop is nothing but the senior, or moderating elder. The other order was that of deacons, chosen, originally, for the temporal concerns of the church, though engaging occasionally in the ministry of the word.

Considering how rapid the growth of power is, an appeal to the fathers soon becomes of little weight. Mr. Hooker, therefore, when speaking of the three degrees of ecclesiastical order in the ANCIENTEST FATHERS, was too late in his testimony, when he quoted Tertullian^e, who died A. C. 220. Nor was he accurate in saying, that bishops came in the place of the apostles^f. Ambition on the one side, and superstition on the other, soon converted a president of the elders into an aspiring character, who, by degrees, slipped into the infallible chair, and became a pope.

I cannot help observing here, that as the first converts to christianity were jews, it was natural enough for them to introduce into their societies the language and the practice of the synagogue. The form of church government, therefore, was probably local: and the whole controversy about the names of church officers is scarce worth an argument. For, as they appear to me to have been local, there is no greater necessity for retaining the ancient names, than for wearing the same dress, as the ancient jews, or for washing the saints' feet. There may be as great a propriety in affixing some more modern appellations—teacher, pastor, or any other corresponding term would be as proper as bishop or elder, and for him, who regulates the temporal affairs of the society, steward is as proper, as deacon.

What we now call ORDINATION, was an ancient jewish ceremony, the reason of which Moses has not explained. It was, however, used on various occasions; and there

^e Tertullian de Pudicitia.

^f Eccles. pol. b. 5.

seems to be nothing, but the particular pointing out the person or thing, common to all these ^g, which was done by the ceremony of laying on of hands. This was practised by our Lord, as it was also by his apostles in healing the sick, in communicating spiritual gifts, and in appointing to particular offices. In the primitive church the people always retained the right of choosing their ministers ^h, which they did by lifting up the hands called *χειροτονια*; so that ordination was the joint act of a society choosing the minister, and the presbytery approving and ratifying the choice. Hence *χειροτονειν* by the writers of the new testament, and the first christian fathers, is applied indifferently to both ⁱ. But the church deprives its members of the right of choosing its ministers; a young minister says, he is

^g Sykes on Sacrifices.

^h *Συνεδοκησας πασης της εκκλησιας*. Clement Ep. ad Cor. S. xlv.

ⁱ Acts xiv. 25. 2 Cor. viii. 19. Ignatii Ep. ad Smyrn. f. xi. Ad. Philadelph. f. x.

In many dissenting churches, however, where the choice of ministers rests on the people, inconveniencies have been found sometimes to arise, and ministers, as they have increased in knowledge have been in danger of humouring the prejudices of their hearers, and of concealing their own sentiments. Besides, though the right of choosing the minister may be claimed by the people at large, as it most justly may, yet the power, it has been said, frequently devolves on a few of the richer or wiser part of the society. So that, it is urged, the right of election, like that of representation in the English parliament, is so far ideal. To remedy these inconveniencies (for the best provisions are liable to abuse), some persons have opened places of public worship, leaving the support of them to the discretion of the worshippers. By this mean it has been thought the forwardness of individuals, who sometimes have influence enough to have a deserving minister unjustly discarded, and the timidity of the minister, arising from a state of dependence, have been thought to have been guarded against. However, even on this principle, the right of election is in fact preserved: for a person who attends a place of worship without compulsion, and pays towards the support of the minister without restraint, chooses his own minister as effectually, as if he did it by voting; and when he no longer approves him, he retires from the worship, and discontinues his subscription. Which of the two modes is to be preferred I decide not; but must maintain, if the liberty of

is moved by the holy ghost; and a senior minister acts, as if he could convey it; and we call it ordination; and this is in the year 1789! The church, it is clear, supposes that some gracious influence accompanies the ceremony of imposition of hands. For, besides what I have already said, “in the order of confirmation” the bishop “makes humble supplication, that those, on whom (after the manner of the apostles) he has laid his hands, may be certified (by this sign) of God’s favour and gracious goodness towards them.”

The BAPTISM of young children is in any wise to be retained, says the 27th article, as most agreeable to the institution of Christ.—I confess I have not yet been able to find an example of this practice in the new testament. When little children were brought to Christ, it is certain, that he did not baptize them; (For it is expressly said, that Jesus himself baptized not, John iv, 2.) He put his hands on them and blessed them, and from the innocence of children, gave a useful hint to his disciples^k. Nor have I been able to find an example of this practice in any part of the new testament, or in the Acts, or the Epistles, or in the writings of those called apostolical fathers. When the subjects of baptism are mentioned, they are such as could take up the christian profession, and when the mode, it appears to have been the immersion of the body, not the sprinkling of a part of it. The circumstance of John’s

of both pastor and flock is not preserved, it is trifling to talk of liberty. However justice obliges me to remark, that the evils above mentioned, incident to some dissenting congregations, are not necessarily connected with the mode of election, but with making systems of theology the rules of ministerial compliance, rather than a free inquiry into scripture truth, and a liberty of discussing it. Where these are preserved every thing is right.

^k Παιδια, by the way, does not signify there new born babes; Suffer them, says Christ, to come to me, &c. Vid. Mark v. 39, 42.

going

going to Enon, because there was much water there, of Jesus's going down into the water, and coming up out of the water, together with the figurative allusions to the ceremony; such as being buried with him in baptism, and the like, prove that the immersion of adults was the primitive mode: and, even as late down as the apostolical constitutions, so called, the water of baptism is said to represent a burial; going under the water is the dying with Christ, and rising out of it, a rising with him¹. This is also clear from the genuine signification of βαπτω and βαπτίζω (for they are synonymous), which always signify dipping in classical writers, and only washing, dying, or staining, as one implies the other, which might be abundantly shewn by innumerable authorities, as well from the purest classical writers, as the testimonies of the most approved critics and lexicographers^m. It is also manifest from the use of this word by the septuagint, to answer the hebrew word Tabal: and accordingly, dipping ever was, and still continues to be, the mode of baptizing by the greek church. From the new testament I think there is no foundation for infant baptism. Nor is there a shadow of it in the first christian writersⁿ. Thus speaks the reputed Barnabas, "We descend into the water full of sins, and filth, and rise again, bearing fruit^o." So Hermas,

¹ L. 3. c. 17.

^m It is curious after what Scapula has said of βαπτω, and its derivatives, and compounds, to hear him say, *αβαπτιστης*, Diabolicæ cuidam sectæ deditus. Sub voce βαπτω.

ⁿ Mr. Robinson dates the practice of baptizing new born infants from Africa, in the fifth century. Hist. of Baptism, p. 200. He supposes that it originated in the desire of christians to save the children of such, as intermarried in pagan families, from being bought for sacrifices to carthaginian deities. Such practices were common among that barbarous people.

^o Epist. s. xi.

“ They

“They are those, who have heard the word, desiring to be baptized in the name of the Lord^p.” And again, “That seal is water, into which men, obnoxious to death, descend,” &c. It would be endless to produce quotations on this subject. Tertullian is the first who speaks of any thing like the baptizing of young children; and yet I think it clear, that even Tertullian does not speak of new born babes, the *parvuli*^q, whose baptism, among others, he advises to be deferred, till they grow up, and are properly instructed, and understand christianity, were indeed children, but there is no determining precisely their age, any more than that of *παιδια*, and indeed, even the word, *Infantes*, as used by ancient writers, does not always mean babes, but young people, minors^r: and it is clear that Tertullian, all along, speaks of immersion; *Homo in aqua demissus*; *in aqua mergimur*, &c. &c. It might be shewn from the most unexceptionable historians that immersion, single or trine, was universally practised for the first thirteen hundred years of the christian era.

Several writers well skilled in jewish literature, among whom may be reckoned Mr. Hugh Broughton, Mr. Ainsworth^s, Dr. Hammond^t, Mr. Selden, Dr. Lightfoot, and others of our own country, maintain, that the jews received proselytes into their church by baptism, as well as by circumcision, and the children of those proselytes; and that John's baptism was derived from that source. A learned modern thinks, that, 1. Scripture baptism was per-

^p L. 1. vii. 3. f. 7. L. 3. Sim. ix. 16.

^q Tertullian de Baptismo, p. 264. edit. Lutet.

^r See this subject further discussed with great learning, in Robinson's Hist. of baptism, c. 19.

^s On the Pentateuch. Gen. xvii. 12.

^t Annot. on Matt. iii. 1.

formed by immersion. 2. That it was not performed upon infants. 3. That it was not intended for the children of christian parents ^u.

In opposition to the notion of profelyte baptism, two very learned writers among the baptists, Dr. Gill and Dr. Gale, have endeavoured to shew, that the practice of admitting profelytes into their church by an initiatory rite of baptism was unknown to the ancient jews. The former has pursued this inquiry through the writings of the Old Testament, the Apocrypha, the New Testament, Philo, Josephus, the Targums, or Chaldee Paraphrases, the Targum of the Megillot, the Book of jewish Traditions, called the Misnah, the christian fathers of the first three or four centuries, down to the times of the jewish Talmuds, and, he adds, upon inquiry it will be found, that the first mention of it, for aught as yet appears, is in the jewish Talmuds ^w.

Dr. Gale contends, that the jews were so far from having an initiatory baptism among them before, or at the time of Christ, that even in the talmuds there is no agreement about it, that the baptisms spoken of in these writings may only be the baptisms for purification; and that the jews even ridicule the baptism of christians, as an unmeaning ceremony. It is no where, says the author of the ancientest Nizzachon, quoted by Dr. Gale, commanded to plunge persons, or profelytes into water. Why therefore does Jesus command to do so? And again, speaking in the language of christians, he says, that Christ came to renew the law, and that he had laid aside or abolished circumcision, and instituted baptism ^x. From these circum-

^u Wakefield on Matthew, and a Plain and short account of the nature of baptism.

^w A Dissertation, concerning the baptism of jewish profelytes, c. 3.

^x Reflections on Wall's Hist. of infant baptism, Letters 9, 10.

stances Dr. Gill, Dr. Gale, and the baptists contend, that the baptism of christians was not derived from the jews; that it is a divine institution, that it ought not to be administered to the children of christians; though it is of perpetual obligation on all, who take on them the christian profession.

Whatever were my judgment, respecting the origin, the form, and the obligation of baptism, I must possess a large portion of faith to subscribe the 25th and 27th articles. Our reformers, it is clear, supposed, that grace accompanied baptism. "It is a sure witness and effectual sign of grace." "Faith is confirmed, and grace increased, by virtue of prayer to God." But I hope it is too late in the day to suppose, that, from being children of wrath, we can, by any form of baptism, become children of grace, and members of the kingdom of heaven^r:

The rite, now called the LORD'S SUPPER, received its origin from the last passover supper, which our Lord eat with his disciples: at which time, agreeably to the custom of the jews, at their ordinary meals, he took bread and blessed, or gave thanks, and afterwards, gave thanks for the wine. At the passover supper, it was usual for the master of the house to break the bread into morsels, and to deliver it to the guests, in commemoration of the deliverance of the jews out of Egypt, saying, "this is the bread of affliction, which your fathers eat in Egypt^z." In allusion to this custom, our Lord said; This do in remem-

^r This was the opinion of Austin; and even Tertullian supposed, that some extraordinary blessing attended baptism. *Hic quoque, quoniam tanta simplicitate, sine pompa, sine apparatu novo aliquo, denique sine sumptu, homo in aqua demissus, et inter pauca verba tinctus, non multo, vel nihilo melior resurgit, eo incredibilis existimetur consecutio æternitatis. De bapt. p. 224. inter op. edit. Lutch.*

^z Abauzit on the Eucharist.

brance of me, and in distinction from the body of the pass-over, as the lamb was called, said, Take, eat, this is my body^a. At the solemn treaties of the jews it was usual to slay a victim: hence the old covenant was ratified with the blood of beasts, which was therefore called “the blood of the covenant,” Exod. xxiv. 8. In allusion to this, our Lord after supper took the cup, saying, This cup is the new covenant by my blood. This do ye, as oft as ye drink it, in remembrance of me. And Paul adds, As oft as ye eat this bread, and drink this cup, ye do shew the Lord’s death, till he come.

When the first christians broke bread together, it is clear to me, it was a real, though a temperate meal. The Corinthians could never have abused the present rite to purposes of intemperance; and the apostle does not blame them for making it a meal, but because some took it apart from, and before the rest, *εκαστος γαρ το ιδιον δειπνον παραλαμβάνει*, 1 Cor. ii. 21. and so did not make it a communion, or a partaking in common. The lord’s supper mentioned by Paul, and love feasts by Jude, are probably the same. Whether however the rite is altogether local, or designed to accompany the different changes of the church, I will not positively determine. Some christians make it subservient to very pious and benevolent purposes, others unite very well without it. The first christian writers speak of it as practised in their time, particularly Ignatius: who tells us, that the Docetæ, who asserted, that Christ had not a real, but an apparent body, rejected therefore the Eucharist^b, though it appears from Irenæus^c, and Epiphanius^d, that these heretics substituted a false one in its

^a Dr. Gill on 1 Cor. xi.

^b Epist. ad Smyrn. f. 7.

^c Cont. Hæres, l. 4. c. 18.

^d Hæc. xvi. n. iv. 7, 8, 9. 11. 15. 16. 38. n. 5.

room. Several of those sects of true christians, who rejected baptism, rejected also the Lord's supper. So also did the Paulicians. Many have thought, the two rites not necessarily connected; Socinus rejected baptism, but retained the Eucharist. Some think, they both stand or fall together. The quakers, accordingly, reject both. I cannot however forbear observing, that as christians have been extremely impolitic in the application of other terms to this rite, so also in that of ordinance, against subjection to which, as mosaic institutes, Paul so strenuously advises the Colossians: and though we hear of the apostles and others at Jerusalem making decrees (or ordinances, *δευματα*,) yet they evidently related only to a present necessity, and even then were not delivered as binding beyond private discretion. See Acts xv. 28, 29, and xvi. 4. I call it impolitic, because I do not recollect any passage in the new testament that applies those terms either to baptism or the lord's supper: and because they may be urged as arguments against their continuance. But even admitting the perpetuity of this rite, and acknowledging the propriety of calling it the lord's supper, the church of England gives it a solemnity, and mysteriousness, which I cannot quite comprehend. Is it not strange, too, to see people all on their knees at supper? Should it not be taken according to the manner, in which different nations are accustomed to take their food? Whence did the contrary practice originate? From the romish church. They suppose that Jesus Christ is the supreme God, and that the words of the priest convert bread and wine into the body and blood of Christ. Hence the custom of kneeling, the posture of adoration, on taking the sacred wafer. The church of England also believes, that Christ is very God, and that the body and blood of Christ are verily and indeed taken in the Lord's

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supper.

supper. On taking, therefore, the consecrated bread, we kneel, the posture of adoration. This too in the year 1789!

To speak my mind freely, though I differ materially from Hooker in his judgment of the doctrine and discipline of the church of England, I am not sure, that some respect is not due to one leading principle in the second and third books of Ecclesiastical Polity. For I never expect to see it proved, that "Scripture is the only rule of all things, to be done in this world," or "that there is a form of government laid down in the new testament, from whose laws there may be no variation." I have, therefore, made no particular remarks for or against a liturgy; it being my judgment, that the regulation of worship is left to the discretion of every particular society. I believe no sect will be found in England, whose discipline is exactly that of the times of the apostles. Great Britain has been called the "land of sects:" religious inquiry hath had its full exercise here, and in consequence of this free investigation, there has been a beautiful variety of religious denominations. But, now, I would ask, amidst all this happy freedom, and this beautiful variety, Whence hath it happened, that no one sect has yet arisen, whose external discipline has been exactly formed after the primitive model? The sacred scriptures have been in every body's hands; church discipline has been thoroughly investigated; reformation and re-reformation have been all the cry; and many leaders of the different denominations have shouted, *Εὐηκαμεν, Εὐηκαμεν*. It would, however, be no difficult matter to shew, that there is no one society in England or Scotland, whose discipline is exactly regulated after the primitive standard. Whence hath this happened? The proper an-

* Indeed the truth is, different countries had different rules.

swer is this. Some part of the primitive discipline (if it may be called by that name) was peculiar to inspired men, but belongs not to their uninspired successors; and some part was proper for a particular period, and particular countries, but was not laid down as obligatory on all. The primitive church discipline, then, is past and gone, was useful for the time, but cannot be recovered. Many upright men have laboured to revive it. But, without questioning their sincerity, or undervaluing their labours, I venture to affirm, they have not attained it; and, farther still, till they are precisely in the case of the primitive church, they cannot attain it. The baptists, independents, presbyterians, and episcopalians, have each in their turn put in their claim: the brethren too, (I mean the moravians) and the people called methodists, (particularly those of the arminian persuasion) have each made similar pretensions. But no sect has put in higher claims than the followers of Mr. Glasie of Scotland^f, on whose principles several societies were formed in Scotland; and Mr. Sandiman formed one or two in England. I cannot sufficiently admire the fraternal manner, by which the latter sect regulate their worship. But great part of their singular discipline is derived from jewish observances, and local peculiarities; such as, their abstaining from blood and things strangled, their giving of the kiss of charity, and washing the saints' feet. Their interpretation of the christian doctrine is, I think, extremely erroneous; and the basis, on which they erect the "love of the brethren," narrow beyond all parallel^g. The amiable people, called quakers, too, are

^f See Mr. Glasie's Work's passim.

^g *Jb.* On receiving the Lord's supper with unworthy communicants, and the Testimony of the King of martyrs; and Mr. Sandiman's Letters to the author of *Theron and Aspasio*.

by no means formed after the primitive model. So far, indeed, as their fraternal manners are considered as a bearing testimony against those claims of feudal superiority, and of priestly distinctions that have debased christian nations, they are just and beautiful; but so far as they are an opposition to those common forms of respect, that existed even in the simplest ages of antiquity, they may be thought fanciful and visionary *. In like manner, so far as their freedom of speech, and unbought worship are considered as a testimony against hireling priests or domineering preachers, their testimony is highly honourable, and deserves commendation; but so far as they are regulated in conformity to local manners ill understood, or by the belief of some secret influence which no longer exists, they may be thought romantic, and to favour of enthusiasm. It is on a conviction of the indeterminateness of church discipline so called, I suspect, that an excellent and judicious person ^h, who has very honourably laboured to recover the just notion of the OBJECT of christian worship, hath acted at the chapel in Essex Street. Irreconcilable, however, as I am to all institutions, that are in alliance with the civil magistrate, and receive their discipline from his hands, but full of respect for every FREE christian society in "this land of sects," most affectionately do I pray the God and Father of our Lord Jesus Christ, that truth and liberty, peace and prosperity, may be within their dwellings!

This is all digression. But I cannot pass on, without stopping to admire the simple manners, and serious deportment of the peaceful FRIENDS. Ye admirers of the illustrious William Penn, receive this tribute of esteem from

* See p. 395. Notes.

^h Mr. Lindley.

an impartial stranger! Ye have long given instruction to christians: and may ye still continue witnesses against the ravages and disorders of society! Ye were among the first, who bore generous testimony against the abominable traffic in human blood; and in like manner, above all the sects in christendom, ye have testified against an antichristian priesthood, and the unrighteous imposition of tithes^l. The FRIENDS ask (and with justice) why should christian states reckon their days and months after heathen deities^k? —If the reformers and legislators of christendom had rectified their calendars instead of ALTERING the christian doctrines, they had kept within their own province. The friends have certainly reformed many things, which the governments of christendom have never touched.

The quakers, like the disciples of Confucius, have no priests: or, more properly speaking, they are among themselves “a kingdom of priests.” Even the women are permitted to teach in their public assemblies, in common with the men.—The sword is with them an unrighteous weapon. And I rise up with respect to the children of peace. When the SON OF MAN shall sit on the throne of his father David, peace shall be established on the earth.—Like the ancient Phrygians, the friends neither swear themselves, nor impose an oath on others. And, truly, at a time, when the means of evading oaths are as numerous, as the reasons for multiplying them, the practice of this people, whose honest affirmation supercedes the necessity of an oath, is entitled to the attention of the legislature.

Quakerism considered as a scheme of civil polity hath its excellencies. It hath also its excellencies, as a scheme of christian discipline. But excellent as the discipline is in

^l See Pearson on Tithes.

^k Vid. Beda, l. i.

some points of view, it has been thought defective in others: and admirably adapted as it is to one particular scheme of religion, it has been thought by no means formed for the general reception of christians.

In opposition to FEMALE teaching, some critics have said, that praying and prophesying, 1 Cor. xi. 5. relate to joining in singing and prayer. But this I think not sufficiently clear. Though it must be confessed that the term prophetess hath a great latitude of meaning, both in the old and new testament, as well as in classical writers. See Gen. xx. 7. Exod. xv. 20. However, it is well known that prophesying both in sacred and profane writers means teaching¹; and Locke, Poole, and Bishop Pearce, have admitted, that after the day of pentecost, and during the continuance of miraculous powers, women might prophesy, that is, teach, while under a divine impulse. Bishop Pearce reconciles 1 Cor. xi. 5. with xiv. 34, 35. and 1 Tim. ii. 12, 13. by supposing that the former text relates to women under a divine impulse, the latter to those who were ordinarily gifted. But neither am I satisfied with this account. For it does not appear, that the women even when under a divine impulse taught in the church, that is, an assembly composed of men and women. Paul says, Let your women keep silence in the church; for it is not permitted unto them to speak: as also saith the law, 1 Cor. xiv. 34, 35. which certainly refers to public speaking: as he had said before in another case: If there be no interpreter, let him keep silence in the church, v. 28. Verse 35. perhaps relates to a custom for many years known in the primitive church of stopping the speaker, and asking him to

¹ Gen. xx. 7. Exod. iv. 16. Prov. xxx. 1, xxxi. 1, &c. Diod. Sic. Aristotle, Plato, Josephus. Pearce's Comment. Acts xv. 32.

explain himself. But even this was not allowed the women. Let them ask their husbands at home, says Paul. I, therefore, think with Dr. Taylor, that 1 Cor. xiv. 34, 35. relates to the church, where men and women were assembled promiscuously; and xi. 5, to societies wholly composed of females, agreeably to the manners of the Grecians; where the females had their separate apartments, (called *γυναικωτάδας*,) Potter's Grecian Antiq. vol. 2. Is it then unlawful for a female to teach in a public assembly, agreeably to the practice of the quakers? I have not said so. But the proper answer to this question, I conceive is, not that which Mr. Penn and Mr. Barclay give, but this, that the mode of regulating christian worship is wholly discretionary. Paul, indeed, said, we have no such custom. But (except it can be shewn, that Paul's rules for regulating worship are binding on all ages) the quakers are at liberty, I conceive, to say, What then? We have. The mode of ordering churches in the times of the apostolical fathers was by a bishop, that is, the senior presbyter, presbyters, and deacons. Presbyteresses, were wives of the presbyters, as the deaconesses were of the deacons, or else women professedly set apart for the service of the church. And Grotius hath observed they were ordained till the council of Laodicea, by the imposition of hands, and that they instructed the females: but they were not PUBLIC teachers. Taylor and Grotius, on Rom. xvi. These officers (see Robinson's hist. of baptism, p. 64.) continued in the roman and greek churches, till the eleventh century; longer in the oriental, and among the nestorian churches continue still.

Whether it be lawful for a christian to take an OATH when offered by the magistrate, hath been much disputed. The best thing, that the wisest men can say for oaths, is,
that

that they are evils, which the depravity of mankind render necessary. But they are not necessary for a good man. He loves truth, and his solemn asseverations will have the force of oaths. Neither are they the cords, which bind a bad man. In both cases, perhaps, a solemn asseveration before the civil magistrate, with a severe fine, or corporal punishment, in case of a violation, would better answer every purpose of civil society. I am not sure that the depravity of mankind, which may seem to render oaths necessary, may not furnish an argument against the use of them.

The apostolical fathers, so called, say nothing either for or against oaths. Polycarp is referred to by Mr. Barclay ^m, as against them. He alludes, I suppose, to his martyrdom: (for, in his epistle to the Philippians, there is nothing about them,) at which time he was called on to swear by the genius of Cæsar. He replied, If you vainly suppose, that I will swear by the fortune of Cæsar, as you speak, you affect not to know, who I am. Freely hear me, I am a christianⁿ: the usual reply of the primitive christians, when called upon to swear by the genius or fortune of the emperor. Which applies not to the present times; when the magistrate acknowledges Jehovah, the God of christians. Nor does Justin Martyr's application of Matt. v. 34. 37°. For he clearly refers it to speaking truth: as Mr. Wakefield hath before observed ^p. Περὶ τοῦ μὴ ὀμνῆσαι ὀλῳς, τ' ἀληθῆ δε λεγῆναι αὐτοῖς, &c. These writers are also referred to by Mr. Penn ^q. I think it, however, probable, that most, if not all the primitive christians, for nearly the three first centuries, supposed all oaths unlawful. Their

^m Apol. prop. xv.

ⁿ Epist. Circul. de Polycarpi Mart. f. x.

^o Apol. ii. p. 63. edit. Lutet.

^p On Matt. v.

^q Treatise on oaths, vol. 2. Select Works.

testimonies are referred to by Mr. Barclay, and stated at large by his fellow labourer. "The ancient christians and fathers, says bishop Gauden, (quoted by Penn) that they might not be short of the Esseni^r, who would not take an oath, refused to swear, saying to the heathens, Christianus sum, I am a Christian; and to each other, yea, yea; nay, nay; thereby keeping up the sanctity and purity of their profession."

The amount of this evidence, then, is, that while the magistrate was pagan, the primitive christians refused court oaths; and that it was their opinion, all swearing was unlawful for a christian. How far their situation in regard to a pagan magistrate resembles ours, and how far their opinion is to be received as the sense of scripture, may, perhaps, deserve consideration.

Our Lord, indeed, says, Swear not at all. But the sermon on the mount is clearly to be interpreted with some degree of limitation, and in reference to the custom of the jews. For example. Our Lord says, Whosoever shall say to his brother, Racha, deserves to fall under the judgment of the council, or Sanhedrim; but whosoever shall say, Thou fool, deserves hell fire, that is, to be burnt in the valley of Hinnom. Yet Jam. ii. 20. says, O vain man, that is Racha. And our Lord, Thou fool, Luke xii. 20. and 24, 25. O foolish, and slow of heart. Christ must, therefore, refer to words, flowing from an evil, censorious, and malicious spirit. But, it will not follow, that people in authority may not utter very sharp reproofs; or that equals may not censure their neighbours, so as to enforce a conviction of wickedness and folly, not suffering sin on them. Mr. Wakefield interprets swear not, (*εις το επιορκειν*)

^r On their admission into the society, however, the Esseni were sworn. See Bishop Pearce on Matt. v.

with a view to forswear. And, indeed, it may be justly argued, that Christ is here speaking of voluntary, or promissary oaths, or vows, by which the Jews devoted any thing to Jehovah, but avoided uttering his name; using some inferior form of words, to evade the force of the obligation. But our Lord says, Let your communication, your word, (*Λογος*) yea, be yea; your word, nay, be nay, (so it should be translated,) that is, let your performances correspond with your promises. However, I am not sure, that any EXAMPLE can be produced, from the new testament, sufficiently decisive, to set aside the interpretation of the quakers, Swear not AT ALL. The solemn declarations of Paul amount not to an oath, administered by a magistrate *ex officio*. And though our Lord when adjured by the living God by the high priest, replied directly, Thou hast said; or as Mark has it, I am; it may be doubted, whether this was the form of administering an oath among the jews, though it was by the grecians*.

No man is worthy to be a member of a christian society, whose affirmation would not bind like an oath. And though I am not sufficiently convinced, that all oaths are absolutely unlawful, yet devoutly do I wish, (and on no account whatever would I take an oath myself) that every christian society in England, (in the primitive church, the eucharist was a kind of sacrament or oath,) might receive the same indulgence as the quaker. Every communicant should be allowed this privilege†. In the exceptions, or select Collections of Egbert, Archbishop of

* Leigh's Crit. Sacra. Sub voce ἐξορκίζω.

† Mr. Robinson (Hist of bap. p. 325.) observes that the eng. government did actually admit such a test from three or four members of a dissenting congregation, and observes, from the same natural source, perhaps, came certificates from a minister of a parish, and the churchwardens.

York, it was appointed, "that no priest whatsoever, may swear an oath:" and about the year 750, at the council of Berghamsted, "that a bishop's, or a king's word, or affirmation, without an oath, is irrefragable;" and to this day, in Germany, the Electoral Archbishops of Cologne, Mentz, and Friers, and many other noblemen, in their station, speak without an oath, upon their honour, &c."

The question, which relates to WAR, must be ascertained on similar principles. Private redress for small injuries are certainly forbidden the christian; he should rather suffer the wrong, than avenge himself. But will this, it may be asked, supersede the protection of the christian magistrate, or a legal redress of wrongs? To propagate christianity by the sword, or to engage in offensive WAR, are unlawful for christian states. But it may be asked, May they not defend their civil and religious rights, and oppose the assaults of an enemy? By admitting the contrary principle, do we not leave the possessions of the virtuous a prey to the wicked? Do we not incapacitate the christian magistrate from protecting the subject? Is not the protection of innocence as much his duty, as the punishment of vice? And can the magistrate protect, without the subject's assistance? If all war be unlawful, from Matt. v. Will not going to law be liable to the same prohibition? To speak, however, sincerely, I feel great esteem for a sect, that bear testimony against the ravages of society, some of whose principles are now enlightening nations, and some only wait, perhaps, a more humanized state of civil society. And such a society as the quakers are not only entitled to toleration from christian states, but to all the encouragement and support, which a legislature can give them.

* Penn's Treatise on oaths, vol. 2. Select works.

With all my esteem for this people, I will add, if the scheme of doctrine laid down in the fourth part of this Inquiry, be true, that of Mr. Penn and Mr. Barclay, is in many respects wrong. They have sufficiently cleared themselves of the charge of believing the pernicious doctrine of Socinus, in their writings. And though in opposing the claims of the magistrate over conscience no writer exceeds Mr. Barclay, yet he maintained, "That it was lawful for a christian church, if she find any of her members to fall into ANY ERROR, to cut them off from her fellowship, "by the sword of the spirit." Accordingly, the system of the quakers does not leave room for religious liberty, within the society^w.

By the rules of this society, nothing can be published by their ministers, till after examination, and with the sanc-

^w I insert a note here, which ought to have been inserted p. 395, when speaking on terms of civil respect.—Gen. xviii. 3. My lord, (Sam. My lords) if I have found favour, &c. Where Dr. Geddes observes, this was a term of respect, given even to equals, and corresponds to the french Monsieur, and to the english Sir. See also a pertinent observation of the same learned man on Gen. xxiv. 33. Similar terms of respect are retained by the Arabs to this day. Even *yem*, woman, which Christ addressed to his mother in a coarse manner, as some too hastily think, was not a term of that vulgar acceptation, which it is among us, as may be seen in Homer, Callimachus, and Sophocles. With respect to *κυρια*, madam or lady, it was a term of respect among the greeks, addressed to females from the age of fourteen, *Αἱ γυναῖκες ἐκθὺς ἀπὸ τεσσαρεσκαίδεκα ἐτῶν ὑπὸ τῶν ἀνδρῶν κυριαὶ καλοῦνται*, Epicteti Enchirid. c. 62. And unless we say, as some do, that the 2d Ep. of John is not genuine, or that the elect lady mentioned in it is the proper name of a person, or that it is the name of a church, (the church of Ephesus according to Dr. Hammond) we have an example of this mode of address in John's 2d Ep. The same John addresses one of the elders, Rev. vii. 14. *Κυριε*, master, or sir. Indeed it may be said our Lord orders his disciples to call no man master on earth: an exhortation, however, which, as it appears to me, only relates to religious distinctions, not to terms of civil respect. Against the latter sense, as used by persons of different nations in the gospel, Christ never, as I recollect, lays any prohibition,

tion of the society; a provision, to prevent schisms. But, doth it not, also, restrain the mental powers, and the pursuits of sacred literature? This restriction has certainly affected the interest of this sect, and prevented many persons from joining their community, who have been, on several accounts, well affected to them.

I am an *INQUIRER*, not a reformer. And in an affair, which appears to me discretionary, let me be allowed to indulge my fancy, though without offering violence to my reason. I have supposed a society might be formed, admitting,

I. An uninterrupted liberty of sentiment. There should be no *PUBLIC* creed, in such a society, but the scriptures, and no individuals, nor the society at large, should fix a standard of belief for others, but each individual should interpret the scriptures for himself. The truth is, by the constitution of nature, man is free. And natural religion is a stranger to every force, but that of evidence. Revealed religion, too, offers no other compulsion. Jesus is silent respecting any person, whom he empowers to deprive me of religious liberty, and not only so, but gives a positive command to his disciples, to call no man master upon earth. A christian society, therefore, should enjoy an uninterrupted liberty of sentiment. I know of only two exceptions; which regard the *OBJECT* of worship, and Christ the author, under God, of the new dispensation. For how one, who believes Jehovah alone should receive divine worship, and that Christ is only a *MAN*, can unite in praise and prayer with one, who worships Christ as God, or how one who rejects Christ can be a fellow-worshipper with christians, is what I cannot easily comprehend. I judge not: to their own masters they stand or fall. Nay, I will venture to go further. A unitarian society might even

even admit a trinitarian member, or a trinitarian an unitarian: though how it would be consistent for a trinitarian to direct the worship of unitarians, I perceive not. I will, however, just observe, that the question of religious liberty relates not to the case of a person excluding himself from a religious society, but of excluding others. If an unitarian excludes a trinitarian, or a trinitarian an unitarian, they act, I think, inconsistently with religious liberty. The person who excludes himself, only denies himself a liberty, which he thinks inconsistent with his principles.

I seem to myself here to have gone to the utmost limit of religious liberty. I have been the more minute, in order to shew, that the unitarian doctrine is favourable to liberty; and of the two, more favourable, I think, than the trinitarian, and for the following reasons. The unitarian doctrine is more simple, and falls less into system: the trinitarian is more complex; and independent of the doctrine of the trinity is usually found in connection with many other solemn doctrines. It is therefore wont to systematize more: and systematics usually move with more restraint themselves, and are less patient of freedom of thought in others. Besides, unitarians have generally admitted, that upright trinitarians are christians, and as capable of salvation as themselves. Whereas trinitarians commonly think, that unitarians have lost the faith, that they are heretics, and cannot be saved. And as to the doctrine of the trinity, they say it is a mystery, and prohibits the exercise of reason. For "reason stands aghast, and faith itself is half confounded."

Perhaps I ought to apologize for wandering out of the church into the state; but I must beg leave to add (though I mean not to say there is any necessary connection between the unitarian doctrine and civil liberty, nor will I deny,

deny, that a unitarian may be both a tyrant, and a knave). Yet, I say, I must beg leave to add (for I here only speak on a balance of comparison) that of the two schemes, the unitarian seems to me more favourable even to civil liberty than the trinitarian, and for the following reasons. Men, persuaded that the belief of their system is essential to salvation, will naturally enough find this opinion connected with it, "that some religious tenets are injurious to civil society." Hence, at the reformation, in most of the systems of the reformed, a place was found for the civil magistrate to punish opinions. The doctrine is maintained at large by Hooker^x, and Calvin asserts, that the province of the civil magistrate extends to both the tables of the law; *Extendi vero ad utramque legis tabulam, si non doceret scriptura, ex profanis scriptoribus discendum est*^y. The leaders of the reformation in England and Geneva, Cranmer and Calvin, were influenced by this belief, in having two unitarian heretics put to death^z.

Even in later times, the head of the reformed party in France, Monsieur Claude, a mild man, and a learned writer, speaks such language as this, that societies of heretics and infidels are unlawful, because the errors, which they believed, were wicked; that some religious sentiments were not only dishonourable to religion, but injurious to civil society; that it "belonged to the magistrate to interpose in matters of faith more than even those of discipline, because the faith respects every man, whereas discipline relates to the clergy more particularly^a." So far

^x *Eccles. pol.* b. 8.

^y *Instit.* b. 4. c. 20.

^z *Barnet's Hist. of the reformation, and the Life of Servetus.*

^a *Def. of the reformation*, p. 2. c. 6. With this let an excellent tract, entitled, *Brevis discussio*, written by a german unitarian, be compared; *Mr. Bidle's dissertation*

far as Monsieur Claude's doctrine prevails, civil liberty will always be in danger. For the magistrate who punishes the heretic, must also punish the citizen.

tatio de pace, and a treatise written in times less enlightened, than when Claude wrote, entitled, *J. Crellii fi. Vindiciæ pro libertate religiosa*, (inter frat. pol.) How far a religious system may affect civil liberty, may be learned from the conduct of men, who were enthusiasts for liberty, when their creed was not under consideration. It was by the parliament, in conjunction with the assembly of divines, that the excellent Mr. Biddle fell a martyr to his principles. Even Dr. Owen wrote a large treatise against him, entitled, *Vindiciæ evangelicæ*; (full of gross misrepresentations and shallow criticisms) wherein he even palliates the zeal of those who put Servetus to death. The motto of this book should be, *Calumniæ fortiter, aliquid adhærebit*. It was written by "order of the council of state," and no doubt, had its weight in the prosecution of the virtuous Biddle. It was through a packed jury, composed, if I recollect right, of persons of three religious denominations, all orthodox, that the learned and disinterested Emlyn, was sentenced to a severe imprisonment. I have not his tracts at hand at present. And even Baxter, though reputed a heretic himself, had a trinitarian system to support, and therefore in his "*Saints everlasting rest*," speaks of socinians as scarce christians, and of other heretics, as ministers; and he elsewhere maintains, "that the christian magistrate may drive those out of his dominion, that will not be kept otherwise from subverting FAITH and godliness;" and therefore, adds he, If the king restrain or banish those, that are truly the plagues and destroyers of the land, or of religion or loyalty, he shall never be blamed for it BY US. *Apol. for non-conformist ministers*, p. 37. As to unitarians, though I could produce several instances of those who have acted inconsistently with the claims of religious liberty, yet I recollect only a single instance that touches the case of civil. The conduct of Socinus towards Francisus Davides, has been said to have been intolerant. Davides, indeed, was imprisoned by order of the prince of Transylvania, and died in prison. But I do not find that Socinus, though engaged in opposing his sentiments, was concerned in his persecution: *In hujus exitu cum ab omni culpa deesset Socinus, invidiam tamen non effugit. Vita Socini, conscripta ab equite polono*; and Socinus, as well as several of his friends, sufficiently vindicated him from the charge. Whereas, the tale of Calvin has seldom been half told. It should be known then, that Calvin betrayed his confident and friend Servetus, flying from persecution, as he supposed, to a land of liberty, appeared against him on his trial, got him sentenced to death, and Calvin and other heads of the reformation wrote not only an apology, but wrote in triumph. See *Life of Servetus*.

The matter may be taken up on a larger scale. When Constantine became head of the roman empire, and protector of the orthodox faith, he sent a letter throughout the empire, that whoever possessed any writings of Arius, and did not burn them, should be burnt himself. And from that day to this the catholic faith has been injurious to the liberty of nations: a charge which may be brought against the church in all ages, which hath aimed to "establish spiritual despotism on the ruins of civil order^b;" But a different conduct distinguished the generous Theodoric, king of the ostrogoths, when he reigned over the lombard kingdom in Italy. He was not orthodox himself, nor did he persecute those who were. For "in the eye of the law there was no such thing as a heretic^c." When the lombard kingdom was destroyed, orthodoxy swept away liberty with the besom of destruction^{d e}.

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^b See two most interesting works, *Advice to privileged orders*, chap. 2. By Joel Barlow, Esq; and *Vindictæ Gallicæ*. By James Mackintosh, Esq; p. 99, 100.

^c Mr. Robinson's *Ecclesiastical Researches*, p. 368.

^d *Ibid*.

^e With respect to the unitarians in Poland, though they arrived in that country when the government was favourable to them, so that the impulse of liberty was not called forth, yet as they came to Poland in quest of liberty, so, after their dispersion, the impulse was awakened, and wherever they went, they disseminated the principles of freedom. In England, even from the earliest times of the puritans down to the revolution, unitarians were occasionally found (Burnet's *Hist. of the Reformation*.) Their principles were always found in connection with civil liberty, though persecuted themselves. At the revolution there was a club of the most respectable men, zealous friends of the people's liberties, of whom a writer of those times says, "They were all maintainers of that most infamous heresy of Socinus." They published two volumes of Ludlow's memoirs; the *History of standing armies*, and Algernon Sidney's *Discourses on government*. And indeed I have reason to believe, that the man whose writings have served the cause of liberty more than any writer in this country, was an unitarian christian, I mean the injured, immortal Sidney. I infer so from what the above writer says in connection

I will beg leave to add, I do not mean to convey any invidious imputation against the body of modern trinitarians at large. (May all christians feel a generous ardour in promoting the improvement of civil society, and where they may be divided by religious sentiments, may they unite to bear their testimony against despotism, and to promote a subject which every enlightened man in England should now attend to, an equal representation in parliament, a complete NATIONAL REFORM!) In proportion as the science of government is more accurately studied, the rights of man are better known, the magistrate gets into his proper place, and the restraints of bigotry are no more. But I have wandered.

2. This society might also allow liberty of practice. I speak not of moral actions. But I mean, that no ceremony whatever should be the necessary bond of union: and for this reason, because no ceremony whatever is an essential part, at least, of christianity. Here, then, Christ's conduct, in suiting himself to the times, and circumstances of his disciples, and this fine social principle, laid down by Paul, Serve one another in love, give a beautiful model to those, who would walk in the house of God as friends. For example. Some christians (for this society is a christian community, not an ecclesiastical corporation) believe, that the children of believers should have baptism administered to them, as the children of jews had circumcision. Others that believers only should be baptized. They think, that sprinkling is not baptism; but that baptism is still

injection with bishop Burnet's account of him. For though he was no friend to religious establishments, nor even to public worship, conceiving "religion to be a kind of divine philosophy in the soul;" yet it is evident, from several parts of his discourses on government, that he believed christianity. See *Memoirs of Algernon Sidney*, Esq. pref. to his works.

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obligatory.

obligatory. And others set aside every form of water baptism. Yet why might they not eat of one bread and drink of one cup ^f? Nay, some christians wholly reject the eucharist. But, still, christians thus widely differing in judgment, might form one society, and partake its common privileges.

This is maintained in reference to the conduct of Christ and his apostles, suiting themselves to the times and circumstances of their brethren, and to the SOCIAL PRINCIPLE, which was a guide to the first churches. Nor is this mere speculation: the decrees, as they have been called, which the church at Jerusalem formed to compose differences, and which advise the christians at Antioch to abstain from blood and things strangled, (which restraints are called necessary) seem to me made on these principles; such rules being necessary for the church at that time, to remove each other's prejudices, and to conciliate each other's affection. These benevolent exhortations, too, of the apostle, go on the same principle, He that regardeth the day, regardeth it unto the Lord, and he that regardeth not the day, to the Lord he doth not regard it.

3. The society might allow liberty of speech. When Christ first began his ministry, he chose twelve apostles. But he appointed no masters; for there was nothing to govern: no priests, for there was no sacrifice.—On the day of Pentecost the BRETHREN were inspired ^g, and jews, assembled from all parts of the roman empire, heard EVERY man in his own language ^h. After the persecution at Jerusalem, all except the apostles were dispersed, and pro-

^f The eucharist, I am informed, is received by a society at Dundee in a more social manner than among us. They have no regular administrator, and admit conversation on religious subjects at the table.

^g Acts i. ii.

^h Ch. ii. 8.

claimed the word. And during the continuance of miraculous powers, all might teach¹. At first the apostles, so to speak, were both elders and deacons. Indeed, the word deacon, or minister (*ἡγούμενος*) was applied both to the ministry of tables, and of the word^k. Afterwards, some ministers or deacons were appointed for secular affairs, and others for religious instruction, according to the exigencies of the people. Perhaps, (for this I take to be discretionary) considering, that the scriptures were written in a foreign language, at a distant period of the world, and by people of different manners and customs from our own: considering too, that the enemies of our religion avail themselves of ancient and modern literature, and that christian societies, not being in possession of miraculous powers, may reasonably wish to have the scriptures explained and elucidated; perhaps, I say, it may be useful for some societies to engage men wholly for the ministry. And common justice would require, and the scriptures authorize, that a reasonable compensation should be made them^l. However, occasional meetings might be useful for the society at large; and one of the members might be president for the time. It might be his office, to propose a portion of scripture, some doctrine of christianity, or some point in sacred or ecclesiastical history, to be discussed at the next meeting. Each member might here, in succession, propose questions, doubts, solutions; and, either by a liturgy, or extempore exercises, unite in prayer and praise^m. In societies where

a liturgy

¹ Ch. viii. 14. 1 Cor. xiv.

^k Ch. vi. 2, 4.—xx. 24.

^l The elders among the sandimanians follow secular employments, as do the teachers among the quakers. I could point out many judicious ministers among other dissenters, who have also a calling.

^m Mr. Whitton formed a little society upon some such plan as this. A knowledge of the scriptures might be promoted far more easily in such societies, than in

a liturgy is not used individuals are often found who cannot prevail on themselves to pray before the society: persons too of the best judgment, and the purest intentions. The matter, therefore, should be left open to discretion. This might be the proper time for admitting, and expelling members^a. An equal indifference also might be shewn to the posture of adoration, or where it was practiced of receiving the eucharist, though, of such a society a person might be a member without it. In the former case each individual might be free either to stand or kneel; in the latter either to kneel or sit. I cannot, however, pass it unnoticed, that we have frequent examples in the new testament of kneeling, the attitude of respect, as was also prostration in eastern countries; the mode, therefore, was evidently local, yet perhaps some christians have carried their prejudices against it too far, by finding it in connection with a royal command, and a supple priest-

our modern churches. Book societies also have been made highly serviceable in promoting religious knowledge, and a liberality of thought among people of different persuasions. Churches too often promote little more than creeds, and bigotry.

^a Dr. Watts's Hymns is a most improper book for PUBLIC worship. I say of him with Mr. Lindsey, "how much it is to be regretted, that this worthy author did not purge his hymns before his death, as some say he intended!" Catechist, p. 82. Common prayer, and praise, "where ALL the people can say Amen," cannot be too simple and general. This book promotes very wrong notions of christianity, and (I speak as an unitarian) while it exhibits forms of divine worship to a divine influence, (the holy ghost) and to Jesus Christ (a man in all things like ourselves) is the mean of keeping up idolatry in dissenting churches, in the same manner as the church liturgy among the members of the establishment. There are interests, which frequently retard the progress of truth; and there are obstacles which authors, preachers, and ministers with great difficulty surmount: See what I allude to in Dr. Watts's life, by Dr. Johnson, with notes by Mr. Palmer.

^b Different societies would here proceed by different maxims. The belief of one God, and Mediator, in connection with a moral character, seems to me a sufficient rule of admission; and nothing but immorality, and disturbing the order of the society, for expulsion.

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hood: I cannot help, too, observing, that the people who disapprove the practice in public, frequently adopt it in private worship, and that among the people who stand the most aloof from forms, and of whom I have frequently spoken in terms of respect, the person who prays in their public assemblies, always does it kneeling. Here christians are certainly left at their liberty. And as some christians may stand in their devotions without diminishing their respect for the Deity, so others may kneel without including the idea of subjection to human authority. Similar to this also is the liberty, in which christians are left relative to what has been improperly called the ordinance of singing. No precept is laid down for this in the new testament; what Paul says on this subject, both in his epistle to the Ephesians and Colossians, relates to personal exercises, not to public worship. Col. iii. 16, which we translate, admonishing one another, should rather be translated, admonishing yourselves^p, as Mr. Wakefield properly turns it. Under the new dispensation, therefore, christians may either practise it or lay it aside in their public assemblies.

Good consequences might also, perhaps, follow, if women had similar meetings. It would habituate them to reading, lead them to have a judgment in religion, strengthen their understandings, and improve them in goodness. And here, again, I cannot forbear bearing my testimony to the just sentiments of the sensible vindicator of the "rights of woman." In lamenting with her the present organization of society, so formed both in its civil, educational, and religious institutions, as to debase the female character, to dethrone intellect, to weaken morals, and to make woman either the toy, or the child of man, rather than his friend and companion; too often the quiet copyist of man's super-

^p See Eph. v. 19.

stitutions, rather than the rational being, tracing truth to the source of intellect. While man is beginning to shake off the despotism of "upstart governments*," Oh woman! I call on thee to vindicate thy rights, to feel indignation at the insults of thy sex, to condemn the fopperies of character which weaken all the energies which dignify human beings; to treat the man who would monopolize reason, as the aristocrat of rational society, as the despot of thy sex[†].—This, however, need not prevent promiscuous meetings. Some, too, perhaps, may think it useful at proper seasons to instruct the children. For though objections have been made to catechisms[‡], some easy method, at least, might be adopted of conveying instruction to tender minds. Useful also it might be for every member to contribute towards a public fund, for the relief of the poor and sick, the assistance of ministers, and the like. Nothing enriches the heart like the custom of giving. The jews raised contributions on the sabbath; the primitive christians the first day of the week.—Into a society, where freedom of speech is allowed, Should one afraid of inquiry enter? It would be a senseless intrusion. On such a society would any member lay restraints? Were he an angel from heaven, he should be expelled.—If christian societies allowed teachers of different denominations to preach occasionally, it would enliven the spirit of inquiry in the society.—It might operate as a spur to the settled teacher, if disposed to be indolent; and as a

* An expression of the ingenious Mr. Paine's, in *The Rights of Man*.

† See a *Vindication of the Rights of Woman*. By Mary Wollstonecraft, ch. 2, 3, 4.

‡ Yet a practice adopted by some of all parties, may be supposed to have its uses. The jews have a catechism. Dr. Priestley has written an unitarian catechism for children. Mr. Lindley's catechism is a work for MEN. The quakers have a catechism. Many think scripture history the proper subject for catechisms, or that the answers should be in scripture words. Mr. Biddle and Dr. Watts afford examples of these. A practice of lecturing by classes, adopted by Dr. Priestley, may have excellent uses.

curb, if he aimed to domineer: at the same time the operation would be too slow to weaken the attachment or to dissipate the principles of the society; for the regular labours of a settled judicious instructor would always preponderate over the transient exercises of an occasional speaker. At the synagogue, after reading the law and the prophets, any person might read the scriptures, and exhort the people. Is there a church, where a preacher cannot speak with freedom, or where he speaks with the tone of a dictator? In the former case, the preacher is enslaved. In the latter, the society is prieststridden. Such societies are not free.

I mean to say, then, in conformity to the nature of man, the directions of the old and new testament, the genius of christianity, and the examples of all ages, that social religion is beautiful, honourable, and useful*. I mean also to say, that man is by nature free, and "that christianity is the law of liberty." How far, therefore, any particular order of social worship has divine appointment, I assert not. Inclining to the opinion, that the mode of regulating public service is arbitrary, I have spoken in conformity to the views of existing christians, though it has been long my opinion, that long prayers and hymns are neither consistent with reason, nor the precepts and example of the TEACHER of TRUTH. Indeed, the reader will perceive with what extreme caution I have proceeded in every thing that relates to the conduct of churches. My reason is, the great difficulty I find in fixing any data from whence to speak with precision. Δὸς μοι πού ποδα σω; for the same reason, in connection with my conviction of the importance of revelation, and the sacred rights of conscience, I have been aiming to secure what is so rarely found in christian churches, LIBERTY in union

* See a Compendium of Social Religion, by Daniel Turner, A.M., of Abingdon. Introd. Preface.

with TRUTH. Nor will I assert that individuals may not from the most upright motives keep aloof from all christian churches, and even help forward the general interest of truth and liberty more extensively in certain cases: or how far any particular day is of divine appointment under the new dispensation I assert not. Christ was a jew, and, though not with jewish rigour, conformed to jewish customs, and would go to the synagogue on the sabbath day. Christ, however, the creator of the new dispensation, left no command on this subject; and it may indeed, without presumption, be affirmed, that the generality of christians entertain a notion of the christian sabbath, not congenial to the spirit of christianity, and unknown to the first ages of the church¹. It may not therefore be safe to censure those who pay no regard to forms, and whose conduct with respect to worship may not correspond to our expectations. In short, christian churches may retain in themselves reasons of separation, and not only bigots, but liberal and benevolent christians, may condemn those, who will be able to give a good account of their conduct to the "Master of assemblies." So far as the practice (probably the universal practice) of the times of the apostles, and of the first christian writers be considered as authority and precedent, the baptists, as to the mode and subject of baptism, appear to me unanswerably right. The unitarians of all parties alone retain the scriptural OBJECT of divine worship. The quakers are to be admired for their amiable simplicity of manners. The people whose order of worship comes the nearest to that practised in the time of Justin Martyr², appear to me the followers of Mr. Glasse and Mr. Sandiman. But the church of England, both in the mode and subject of bap-

¹ Μηκίτι σαββατιζόντες· ἀλλὰ κατὰ κυριακὴν ἡμέραν ζῶντες. IGNATIUS.

² Apol. ii. sub. fin.

tism, the jewish notion of sabbatizing, their regard to days, and feasts, and fasts, the object of divine worship, and, in short, the whole of their discipline, are abhorrent from the first christians.

And am I then become a PAINTER *? Christian reader, I affect no such character. I am an INQUIRER, not a Reformer. But I mean to assert, that the essence of church discipline is comprised in, "Serve one another in love." But PAINT who will, if there be in the piece, a civil magistrate with punishments, or restraints, the BREATH of God will destroy it.

No, I am no artist. I erect nothing in opposition to the goodly fabric of ecclesiastical polity. No, I am not a PAINTER. And even could I paint, I am not sure I would even wish to embellish the inward parts of a christian hierarchy. Ye hierarchies of christendom! Ye should all stand unaltered for me; a partial reformation might procrastinate THE GREAT REVOLUTION. May your REMOVAL be COMPLETE.

And till the happy period arrives, when the old fabrics of religious establishments are taken down; till idolatry, superstition, priestcraft and worldly policy are swept by the besom of destruction from christian churches, and together with their kindred, aristocracy and monarchy, totally expire; till reason has supplanted enthusiasm, till truth triumphs over error, and till mercy arrests the arm of oppression, may the disciples of the Son of God prove themselves by their public conduct the benefactors of mankind, and by their private virtues the steady and consistent friends to truth! And thus supported by a good conscience, and a pleasing prospect of futurity, may they live undaunted by the frowns of the great, the sneers of the selfish, or the

* See p. 233.

contempt of the profane: but looking forward to that day, when the secrets of all hearts shall be opened, may they possess the unity of the Spirit by a bond of peace, and in patience possess their souls!

POSTSCRIPT.

ADDITIONAL REMARKS ON BAPTISM.

As the note on baptism and the lord's supper in the second appendix run out to an immoderate length, I have here transposed them, with some additions by way of postscript.—I add a word on the perpetuity of baptism: and shall give every opinion its due weight to promote inquiry, and to excite candour. The baptists date its origin from the mission of John, contending, that a new rite would scarcely have been instituted, which was meant to cease with the death of Christ, or the age of the apostles. It cannot be denied, that the time to come and the latter days, mentioned in the Jewish prophets, refer to the age of the Messiah. Isaiah calls Christ the “father of the age.” By *συντελεια τῆ αἰωνος*, therefore in Mat. xxviii. 20, many understand the end of the age, which is at Christ's second coming, or as we translate it, the end of the world. This sense of *αἰων*, they think probable, from many passages of the new testament. See Mat. xii. 32. xiii. 22. Mark iv. 19. In the last passage the Camb. MS. and the latin MSS. for *αἰωνος*, read *βίου*, of life, and for *πλουτε, κοσμου*, of the world. *Αἰων ερχομενος*, the time to come, Mark x. 30, set in opposition to *ουτος καιρος*, this time: so also Luke xvi. 8—
xviii.

xviii. 30, and other places. *ΣΥΝΤΕΛΕΙΑ ΤΗ ΑΙΩΝΟΣ* only occurs in Mat. xiii. 39, 40—49. xxiv. 3. xxviii. 20, and a passage somewhat similar in the epistle to Heb. ix. 26, *ΣΥΝΤΕΛΕΙΑ ΤΩΝ ΑΙΩΝΩΝ*, the end of the ages. The Camb. MS. for *ΑΙΩΝΟΣ* (Mat. xiii. 49) reads *ΚΟΣΜΟΥ*, of the world. Other commentators by *ΣΥΝΤΕΛΕΙΑ ΤΗ ΑΙΩΝΟΣ*, understand the end of the jewish age or œconomy, which they date at the destruction of Jerusalem: though an ingenious person hath undertaken to shew, that the religion of the jews never was abrogated, nor designed to be: on the contrary, that Christ and his apostles conformed to it at and after the destruction of the temple; that it was the uniform declaration of the prophets, and the general belief of the jewish nation, that their ritual was of perpetual obligation; that the jews are still bound by their religion, and will continue in the practice of it at their restoration. See Theolog. Repository, vol. 5, 6, On the perpetuity of the jewish ritual. In the first christian writers *ΣΥΝΤΕΛΕΙΑ ΤΗ ΑΙΩΝΟΣ*, and *ΤΩΝ ΑΙΩΝΩΝ*, mean the end of time, as well as consummatio sæculi^a. Thus also Socinus, who rejected water baptism. Consummatio sæculi, cum ipse veniet, nos e terra pulveribus excitaturus. De Cæn. Dom. When, therefore (as in Matthew), Christ gave the commission to his apostles, they contend, and they think with great appearance of probability, that the meaning of Christ was, that baptism was to continue, and that success should attend his doctrine to the end of time. Again, it seems probable, they think, that all who professed christianity in the apostolic age were baptized. Paul, indeed, thanked God, that he baptized none of the Corinthians, except Crispus and Gaius. The people, how-

^a Bishop Pearce distinguishes these expressions; the latter he refers to the last of the three jewish ages, the former to the end of the last age, in which he who wrote lived; in our translation the end of the world; on 1 Cor. x. 11.

ever,

ever, had been baptized, 1 Cor. i. 13; and as the churches planted by the apostles are addressed, as baptized, and yet were not all baptized by them, baptism, they think, must have been administered by their direction. If it be doubted, on the one hand, whether there be any command for baptism, yet on the other, if the command be admitted, there is no intimation, they contend, that the practice was to cease. And, indeed, those who are disposed to lay any stress on the baptismal form (so called) in Matthew, and even admitting that the *τα εθν* relates to the gentiles, may still contend, that the form, though apparently referring to gentiles, was however to be explained by its parallel passages in Mark and Luke, Go ye into all the world, and preach the gospel to the whole creation, *πασι τη κτισει*, jews as well as gentiles, as Mr. Wakefield also has, though not in reference to this view of baptism. See a plain and short Account of Baptism, p. 49. And as in the scriptures there is no intimation that baptism was to cease, there is also nothing in the apostolical fathers, of whatever weight their authority is supposed to be, to invalidate it. Irenæus speaks of the gnostics as rejecting the baptism of the apparent Jesus for the remission of sins, L. I. c. 21. § 3, 4^b. But these heretics had a baptism expressive of their own sentiments. Indeed, Justin Martyr speaks against the washings, and other ritual performances of the jews, and in favour of a figurative baptism: yet he believed the baptism of christians. Ου ταυτην, says he, την κατα σαρκα παρελαβομεν περιτομην, αλλα πνευματικην, ην Ενωκ και οι ομοιοι εφυλαξαν^c. Ημεις δε δια τη βαπτισματος αυτην, επειδη αμαρτωλοι εγεγονεμεν, δια το ελεος, το παρα τη θεω, ελαβομεν, και ΠΑΣΙΝ εφετον ομοιως λαμβανειν. A writer among the baptists makes the following observation, with which I shall close this paragraph. Not only, says he,

^b L. I. c. 21. § 3, 4

^c Dial. cum Tryphon.

pagans,

pagans, who were turned from dumb idols, but jews, who had been worshippers of the true God, by the same act declared their faith in God. Devout gentiles, as well as idolatrous gentiles; the inhabitants of Judea and Samaria; the pious eunuch, and the Corinthians, who had been guilty of all crimes; Crispus the ruler of the synagogue, and the sinners of Jerusalem, by one and the same act declared their faith in Christ; and, in short, adds he, there is nothing of a ritual nature so often mentioned in the new testament, in which there are so many precedents and instances, and on which so many practical arguments and exhortations are founded^d.

On the other hand, the perpetuity of baptism is liable to objections. It may be doubted, perhaps, by some, whether the passages produced by Mr. Toulmin (p. 14, Short Ess. &c.) from Clemens, Hermas, and Justin Martyr, include the children of believing parents. That from Clement of Alexandria appears more favourable to Mr. Toulmin's sentiments. But, independent of the previous question, stated by the excellent Mr. Emlyn, viz. Whether there be any necessity for the continual use of baptism among the posterity of baptized christians; and lately, In a plain and short Account of the Nature of Baptism, according to the New Testament, by Mr. Wakefield: and a different interpretation of *ὡς τελευτᾷ αἰῶνος*, which many learned commentators and critics make to refer, as before observed, to the destruction of Jerusalem; as they also do many other passages of the new testament, usually referred to that period (though I do not think the perpetuity or non-perpetuity of baptism depends materially on the meaning of that expression. For if we translate it, the end of the world, it would not necessarily follow, that therefore water baptism was to cease:

^d A Short Essay on Baptism, by J. Toulmin, M. A.

and if we translate it, the end of the jewish age, when miraculous powers ceased, it would not necessarily follow that water baptism was to cease :) yet independent, I say, of these questions, the perpetuity of baptism is liable to objection. Should it be granted Dr. Gale, and Dr. Gill, that the ancient jews had not a proper initiatory baptism for their profelytes; they certainly had their washings for legal uncleanness and solemn appearances before God (as Dr. Gale hath himself admitted^f), and particularly after the uncleanness of circumcision: and it appears to me, when John calls his baptism a baptism of repentance for the remission of sins, that he evidently alludes to prior washings; and it is clear the jews expressed no surprise at baptism simply considered, but at John's baptizing, Why baptizest thou, if thou be not, &c.

It might therefore, perhaps, still be asked, Whether the baptism of John might not suit that period, though it ceased with the times of the apostles? Among the Jews indeed, and in the east in general, public washings were congenial to national manners. Frequent washings were reckoned among the conveniencies, the enjoyments, the elegancies, and even the necessaries of life^g. They were also agreeable to the manners of the Romans^h. But still it may be asked, Whether it is probable, that Christ, who says, My yoke is easy, would charge his religion with a ceremony, in some cases and in some climates, so hazardous, so foreign to the customs of many nations, and so trying particularly to female delicacy? Whether a commission to the apostles to baptize into the name or profession of the Father, of the Son, and of the Holy Spirit, relates to water. It cannot be denied, that baptize and baptism are used figuratively. Luke xii. 50. 1 Pet. iii. 21. Luke iii. 16, is also to be so

^f Dr. Gale's Reflections on Wall's Hist. of Infant Baptism.

^g See Robinson's Hist of Baptism, ch. v. ix.

^h Ib. ch. x.

used,

used, and relates most probably to the doctrine of Christ. Some, I know, refer it to the descent of the Holy Spirit on the apostles on the day of pentecost; but it should be observed, that John addresses the multitude: and here, perhaps, an ingenious criticism of Mr. Wakefield's also will occur to the learned readerⁱ. I am therefore far from thinking, that the notion that Christ's baptism does not relate to water is hasty. I acknowledge that many fanciful things have been said on this subject. But, if water was to be so considerable an object in the gospel dispensation, How was it the GREAT TEACHER says nothing of it through the whole course of his ministry? Many texts produced by Socinus and Barclay, need not, I confess, be interpreted figuratively. As Acts xix. 3, brought by Socinus, which is but a heb. form of speech, common also to classical writers, to which 1 Tim vi. 12, is parallel, and Rom. vi. 3, 4. Gal. iii. 27, produced by Mr. Barclay. Were I much disposed to criticise Mat. xxviii. 29, yet I should not admit the latter writer's interpretation of it. Though I do not deny, with Dr. Gill and others, that the apostles could baptize with the Holy Spirit: for they could communicate miraculous powers, which is baptizing with the Holy Spirit. Socinus refers this passage to the doctrine into which the apostles instructed their disciples^k: an argument in favour of this sense might be, that the apostles never baptized in the name of the Father, of the Son, and of the Holy Spirit, but into the name of Jesus, continuing a practice to which they had been accustomed before. In the parallel passage, Luke xxiv. 47, baptism is not mentioned, but repentance, and remission of sins. Again: it is not certain

ⁱ Silva crit. vol. 2. p. 65. Ventus sanctus, eo quod interpres Dei fuerit: hic propheta et ministerium sacrum gesserit. See the whole sect.

^k De bapt. c. 2.

that

that all believers were baptized in the time of Christ; we have no account of the baptism of the apostles, except Paul; though, as they baptized themselves, and many of them we know had been the disciples of John, it is probable they had all been baptized by him¹. It may, however, seem strange, that Paul, who considered himself the apostle of the gentiles, should not consider himself commissioned to baptize them; since baptism, according to some, related more immediately to gentiles^m, and, according to othersⁿ, was of the same extent with preaching the word. It cannot, I own, be inferred, as Mr. Robinson well observes, that Paul baptized none elsewhere because he only baptized a few at Corinth; but if baptism was to be commensurate with teaching, as Mr. Robinson contends, agreeably to the baptismal form, would it not follow, as Socinus observes, that if Paul was sent to preach the gospel, he was also sent to baptize; whereas he says, he was not sent to baptize, but to preach: and, perhaps, what Mr. Toulmin says may be thought to want proof, that Paul meant baptism was not the principal thing he was called to perform. In the primitive church, too, there would at least be among those who were afterwards called audientes, many, who, either from conviction or other motives, were not baptized, who yet were real christians. Perhaps what Mr. Toulmin says may be disputed, that the reasonings and exhortations in the epistles to the Romans and Colossians, suppose that all to whom they were addressed were baptized. For, from Rom. vi. 3, some, perhaps, may be led to think that all were not baptized, Know ye not that so many of you as were baptized, &c.; and Col. ii. 12, may also, perhaps, be inter-

¹ Tertullian de Bapt. p. 229. Op. ed. Lutet.

^m Socinus, Wakefield's Short Essay on Bapt.

ⁿ Robinson's Gift of Bapt. p. 46.

preted by them figuratively, as the 13th verse certainly must be. When our Lord says, thus it becometh us to fulfil all righteousness; it may be doubted, perhaps, whether "baptism forms a part of that righteousness that became all the men of that age;" or, whether, as another sensible baptist observes, Christ himself submitted to this rite as administered by John, though not with the same views as others; yet as pointing out by his example, the duty of christians in general^o. For our Lord only, as it seems to me, speaks of his example of being baptized, as a rule of obligation, applicable to human conduct in general: and, indeed, it could not apply to christians as it did to Christ, who was not baptized into a baptism of repentance, or into his own name, but to bear testimony to the mission of John^p. Irenæus observes of the gnostics, that they say that Paul hath expressly shewn in many places that redemption which was in Christ; and that it is the same as that delivered by them, with some variety and disagreement. *Contra Hæres.* Hence I infer, some might baptize without receiving all the gnostic heresy. Irenæus often reckons among heretics, those who were not so, particularly the ebionites^q. It has been disputed whether the carians rejected baptism: but Quintilla, the "*quædam de caiana hæresi vipera*;" and her followers certainly did. Terullian speaks of her as rejecting baptism: *destruens baptismum*^r, *auferebat baptismum*. After quoting this text, Thy faith has made thee whole, he makes her followers reply: Therefore baptism is not necessary for whom faith is sufficient. For Abraham also pleased God by a sacrament

^o Compendium of Social Religion, by Daniel Turner, M. A.

^p See Socinus's remark on this text, *De Bapt.*

^q L. 3. c. 30, 31.

^r P. 224, ed. Lutet. And elsewhere he says of her, *Auferebat baptismum*.

of no other water than that of faith. He also states other objections, and replies to them. The eastern manichees, as Mr. Robinson has shewn, not only baptized, but re-baptized. Yet if any credit is to be given to Austin, the western Manichees wholly rejected water baptism. They maintain, says he, and he tells us he had been a manichæan himself, that baptism in water does nobody any good: neither do they baptize any of the profelytes, whom they delude into their sect^s. And after all the reproach brought against this sect, they rank among the most respectable christians. Mr. Wall^t gives an account from authentic testimonies, of several sects who rejected baptism; such as the messalians, the ascrodyti, and archontici; and at the time of the Waldenses, the lyonists, the runcarians, the fiscidenfes, the ortlibenses, the paterins, the ordibarians, and the cathari or puritans (though one or two of these sects did not wholly reject baptism, as Mr. Robinson has shewn): so that the opinion of Socinus and Mr. Barclay is no such novel one; though Socinus has not availed himself of this argument, nor of many others produced in this postscript; and the examples produced by Barclay of those who rejected baptism, are from Alanus, and Pitheus, and another as low as the 9th century, though he just hints at the manichæans.

Insignificant as this pen is, it would not bear wilful testimony to an error on the one hand, nor on the other make light of what appeared a christian institute, for the universe. I have paused again and again on this subject, and impartially weighed the probabilities on both sides. The baptists have certainly very considerable evidence on their side

^s De Hæres, c. 46.

^t History of Infant Baptism, l. 2. c. 5, 7.

of the question. Every impartial inquirer, whether he takes his stand in the scriptures or antiquity, must, I think, acknowledge this. At the same time it appears to me, that the most eminent baptist and pedobaptist writers have not sufficiently answered the difficulties which relate to the perpetuity of this rite. Dr. Gill (at least in what I have read of his^u), has not gone to the bottom of them. Dr. Gale has not touched them^x; nor has the learned pedobaptist Mr. Wall; nor yet an elaborate, and on the subject of baptism, a judicious writer, Mr. Boothe^y. In a writer possessing so many excellencies, and who hath opposed so many errors as Dr. Priestley, candour and esteem, and even justice, would not over-rate a few mistakes on baptism^{*}. Indeed the doctor himself has made ingenuous concessions: and ingenuoufness is more respectable than even talents.

With respect to Mr. Toulmin's Essay, the arguments in favour of the perpetuity have been stated sensibly and candidly; but though many of them will be allowed to have considerable weight, yet one who doubts the validity of baptism, will, probably, think many difficulties are not removed, and many objections not answered in this essay.

As Mr. Robinson's history is allowed to be the completest defence of the opinion of the baptists, and to contain much curious matter not formed into argument before, for adult baptism, I shall not quit this subject without making a few remarks on it. Independent then of the evidence brought in favour of the main object of his book, Mr. R. hath also, in part at least, removed an objection brought against adult baptism from an indelicacy in the form of administration, as

^u Body of Divinity, b. 3. c. 1.

^x Reflections on Wall's History of Infant Baptism, p. 381.

^y Apology for the Baptists, and Pedobaptism examined, &c.

^{*} Hist. of the corrupt. of christianity, vol. 2. Introduction, compared with the Hist. of the christian church, vol. 1. The above remark on Dr. P. properly belongs to another place.

practised by the baptists. For I think he has made it highly probable, that the primitive mode was for the administrator to stand in the water, putting his hand to the back part of the candidate's head, who also stood in the water, and was bowed forward, till he was wholly immersed^z; though demissus does not, I own, necessarily correspond to demissio vultu, demisso capite, &c. for demissus will apply to a person placed in, or let down into the water in any way. However, considered in its connection in Tertullian, Mr. Robinson's account is, I think, most probable. For if the supine posture had been the mode, Tertullian ought rather to have said *resurgitur*, or *attollitur*. This account also, I think, corresponds most naturally with the style of the new testament. The circumstance of "being buried with Christ," determines nothing as to the mode; for it is well known that the persons, whom the apostle addressed, burnt, and did not bury their dead, as we do.

What I have hitherto said all goes on the supposition, that the baptismal form in Matthew is authentic. But in proposing both sides of this question, I will conceal nothing that hath occurred to me. It is far then from being admitted by many learned men, that the baptismal form is authentic. Indeed, the whole gospel of Matthew has been thought by some learned men, in the form we now have it, to be spurious. And a person of considerable abilities and unsuspected integrity, from considerations too minute to enter on here, has not scrupled to say, that some parts of Matthew it is impossible to reconcile with Luke, and that he could produce such internal marks of spuriousness, as it would be impossible to confute^a: and it is much to be

^z Hist. of Bap.

^a See a Letter to bishop Hurd, wherein the importance of the prophecies of the new testament, and the nature of the grand apostacy predicted in them are particularly and impartially considered, by E. Evanion, M. A.

desired,

desired, that he would bring forward his objections before the public, that they might either be admitted or confuted. However this be, it is certainly too hasty, to say, (as Mr. Robinson has^b,) that the authenticity of the baptismal form is allowed by all christians, though this hath also been said by many eminent men. For though it is admitted, that it is found in all the printed copies, and MSS. as well as the ancient versions, yet to those who are disposed to doubt its authenticity, the following circumstances must have weight. I have already noted this singular circumstance, viz. that the apostles never baptized in the name of the Father, Son, and Holy Ghost, and that the phrase is no where else used in the new testament. Nor is this all, it is not once mentioned in any of the writers called apostolical fathers, (and I have examined every passage where baptism occurs) except in the interpolated epistle of Ignatius to the Philadelphians^c; but as it does not appear in those called genuine, and it appears again in one acknowledged by all parties to be spurious, viz. to the Philippians, this circumstance proves more against it, than if it never made its appearance at all. It is acknowledged that it appears in Irenæus and Justin Martyr, but so do many appendages, foreign to baptism, and many doctrines inconsistent with truth. It may also be thought by some very much to resemble the gross interpolation of the three witnesses, and to have been made in subservience to some false scheme of doctrine. If to this circumstance be added that in Mark 16. the corresponding verse, where baptism is mentioned, is not found in the most ancient and best manuscripts, and in the other two gospels it is not mentioned; it may be thought by some an additional argument, that Socinus and Mr. R. Barclay were not rash

^b Hist. of infant bap. p. 43.

^c Sect. x.

in saying that the apostles baptized with water without any command from Christ, though these writers did not dispute the authenticity of this text, but only gave it a figurative meaning. A writer, indeed, quoted by Mr. Robinson, asserts roundly enough, *Petrus apostolus formam baptismi a Christo traditam in istam mutabat, Ego te baptizo in nomine domini nostri Jesu Christi* ^d. This is making Peter deny his master four times. It may be thought, perhaps, by some, more probable, that John baptized in the name of the Messiah, and that the apostles' baptism was nothing but a continuation of that; this was the opinion of Tertullian ^e.

As to the perpetuity of this ceremony, the learned historian has certainly brought many cogent arguments in its favour. At the same time many powerful reasons will present themselves, incidentally, and unintentionally, yet ingenuously introduced, that wear no favourable aspect on baptism. I have referred to a few of them in the course of these remarks: and if arguments derived from certain indelicacies ^f, inconveniencies, and dangers, that sometimes attend infant baptism, are acknowledged to have weight, (and, as stated by Mr. Robinson, they have considerable) some will also think, *mutatis mutandis*, they extend also to adult baptism, and in certain cases with greater force.

With respect to Tertullian's treatise on baptism, I cannot avoid making a few remarks on it, as it is frequently referred to on the subject of baptism. Mr. R. says, Quintilla pleads for the baptism of infants on condition

^d Hist. of bap. p. 48.

^e De bap. p. 229.

^f Infans in fontem si stercoret, ejice fontem.

Si dimittit in hunc urinam, questio non est.

See hist. of bap. p. 119.

they ask for baptism, and produce sponsors^g. And elsewhere he says, the first book in defence of the efficacy of baptism, and against the baptism of little ones, is directed both against Cainites in Egypt, and Quintilla of Greece. But I differ from this late esteemed friend, who intimates, that these were the only objects of Tertullian's book. His treatise appears to me to comprehend the whole of the subject of baptism; and that Quintilla and the Cainites rejected baptism in toto. When Tertullian wrote this treatise she belonged to that party. *Negabat omnino baptismum, antequam ad Montani partes accederit, nam Montano addicta illum ut Montani admisit*^h. When therefore he speaks of her as *destruens baptismum*, it relates, I think, not to the efficacy of baptism, but to the water itself, as he speaks afterwards of those, *qui adimunt etiam Johannis baptismum ut destruant aquæ sacramentum*ⁱ. I acknowledge the part produced in the history of baptism is against the baptism of minors, but then it is but a part of the treatise, and a small part too. *Supereſt, ſays he, ad concludendam materiola de obſervatione etiam dandi & accipiendi baptismum commonefacere*; and under this division falls that part, which Mr. Robinson quotes. The other parts are taken up in establishing the obligation of water baptism, the baptism of heretics, and remarks subsequent to baptism.

I the rather make these remarks on Tertullian, because I think it highly probable, that the numbers who wholly rejected baptism at this time were not inconsiderable. For he labours the question relative to baptism with great care; and meets most of the objections since brought by Socinus

^g Ibid. c. 21.

^h Not. Le pr.

ⁱ De bap. p. 229. opera.

and Barclay; and he expressly says of Quintilla, *plerosque rapuit*.

As for the argument taken for the perpetuity of baptism from our Lord's conduct after his resurrection, when he appeared to 500 brethren at once, instructing them into the things pertaining to the kingdom of God; of which the historian tells us baptism was one; this may fairly be questioned. There is, at least, no account of this; for to say, that baptism was one of those things, is the point to be proved^{*}.

With respect to the difficulty of accounting for the universality of baptism, it may, perhaps, be thought by some, this fact also remains to be proved, or how extensive soever it may be thought, they might, perhaps, still urge that the first teachers of christianity were jews, and that not only were the churches full of judaizing teachers, but that even the purest of them were not wholly divested of jewish manners, and jewish prejudices.

As to the questions, What is there in the inoffensive ordinance of baptism, that should tempt a wise and good man to lay it aside? What line of separation do you make between the world and church? Why take away the powerful motives to holiness, which are taken from a voluntary putting on Christ by baptism[†]? Though each of these considerations be allowed to have weight, and to have been of great importance in the eyes of many upright and conscientious men, yet, perhaps, some will reply, all ceremonies are in themselves inoffensive, though liable to abuse, but that from their inoffensiveness we may not reason to their obligation; that no sect has drawn a stricter line of separation from the world, than that which has

^{*} Hist. of bap. p. 40.

[†] Ibid. p. 48.

wholly

wholly rejected baptism; and that further, the great teacher was in habits of intimacy with jews and gentiles, eating and drinking with publicans and sinners, or heathens; that he copies Christ best who imitates his example, and that the pleasure of profession is connected with an abhorrence of immorality: that those who have wholly rejected baptism have yet retained very powerful motives to holiness, and have afforded the purest examples of domestic virtue, of public mercy, of universal benevolence, and even of church fellowship.

Having proposed to myself to state both sides of the question, relative to baptism, and having previously spoken in high terms of the expectation to be formed of Mr. Robinson's history; justice to the subject seemed to require, that I should attend to the force of his argument on the side of the perpetuity of this ceremony. These remarks take nothing from the general excellencies of that performance, which, to those who examine it, will be found to contain many curious researches into antiquity, ingenious illustrations of scripture, many articles in a high degree entertaining, and the noblest principles of moderation and liberty, and to be no ordinary production. And this tribute of respect I pay to the abilities of Mr. Robinson, not from the partiality of friendship, but as justly due to the labours of a truly ingenious and learned man. But as to the question relative to the perpetuity of baptism, I say with Socinus, He that baptizeth children, to the Lord he baptizeth them, and giveth God thanks; he that baptizeth adults, to the Lord he baptizeth them, and giveth God thanks; he that from conscience refuseth to be baptized, to the Lord he refuseth, and giveth God thanks ^m.

^m De bap. c. xvii.

Before I close this postscript I will just observe, that as I have read the new testament on the subject of baptism, without any regard to a favourite author or a favourite system, so have I read in different periods of my life, the various baptist writers, whom I have referred to with the utmost candour and impartiality. To avoid misleading the reader, I also just observe, that in enumerating the writings of the baptists, Socinus and Wakefield are not to be put into the account. Mr. Wakefield hath it in contemplation to write on the other side of the question shortly. Mr. Robinson, in his history, speaks of Socinus as a baptist. This, however, he was not. It was his belief, indeed, that infant baptism had no foundation in the new testament; that adult baptism alone was practised in the first ages, but that there was no propriety in baptizing any one, except converts from another religion, though there was no command to baptize with water at all^r. This too I take to have been the sentiment of Sir Isaac Newton; of whom I have elsewhere spoken on the authority of Whiston as a baptistⁿ.

ADDITIONAL REMARKS ON THE LORD'S SUPPER.

WITH respect to the perpetuity of this rite, that Matthew, Mark, and Luke, in their accounts of the passover, are very circumstantial, is certain. I admit with Mr. Barclay, that such expressions of our Lord's, as, The Father giveth the true bread from heaven; I am the bread from heaven; I am the living bread which came down from

ⁿ Ibid.

heaven;

heaven; My flesh is meat indeed, and my blood is drink indeed, have no reference whatever to this rite, (Apol. Prop. xiii.) but are applied, figuratively, to his doctrine; and, the expression, This is my body, has also something figurative in it, yet the rite itself is actual and external. I think it also incontestable, that the first christians commemorated the death of Christ, and I think it equally certain, that the bread, and the cup (1 Cor. x. 16.) do not relate to spiritual food and wine, as Mr. Barclay understands them, but to outward elements, by which the first christians commemorated the death of Christ, and by which they professed themselves "one body and one bread." Nor could the Apostle, by the Lord's coming, understand "his inward coming and appearance." Apol. p. 417. 8th edit.

It may be further observed when our Lord says, This do in remembrance of me (εις την εμην αναμνησιν); and Paul, Ye do shew forth the Lord's death, the only object in contemplation was the death of Christ. These expressions allude to the jewish sacrifices, in which there was a remembrance made of sins every year, Heb. x. 3. The word αναμνησις (remembrance) only occurs in the evangelist's account of the paschal supper, (Luke xxii. 19.) in Paul's account of the same solemnity, and in the passage of the Epist. to the Hebrews, already quoted. All that can be said, then, on this subject, is contained in this passage of Luke; This is my body, the true sacrifice, which was given for you; this do in remembrance of me: and in what the Apostle says, As oft as ye eat this bread and drink this cup, ye do shew (some read it, shew, which sense the word will bear) the Lord's death, till he come. See Socius de Coena Dom.

But though some of Mr. Barclay's explanations of scrip-
ture

ture cannot be admitted, the perpetuity of the Lord's Supper is still liable to some objections. It is a lamentable truth, though I confess no argument, "that there have been more animosities and heats about this one particular, and more bloodshed and contention, than about any other." Barclay's Apol. p. 456. For christianity itself hath been perverted to the purposes of priestcraft and superstition, of ministerial pride, and a most unrighteous oppression. But, it may still be asked, whether it be agreeable to the genius of christianity, to introduce a new rite, as some say, the eucharist is? If it be said the eucharist is no new rite, but consecrated to a new purpose, it may be asked, whether it is probable, that a local peculiarity would have been entailed and perpetuated on an universal religion? Besides, it cannot, I think, be fairly denied, that the breaking of bread, so often mentioned in the new testament, was expressive of an ordinary repast: compare our Lord's miracles, recorded in Matt. xiv. xx.—15. Luke ix. John vi. where he breaks bread with his disciples after his resurrection. Acts ii. 42. where the disciples are described as having all things in common, &c. This is also clear, from what is said of the disciples coming together at Troas to break bread. Acts xx. where it is clear, as Mr. Barclay justly observes, it was a supper; the 11th verse places it, I think, beyond dispute: When he, therefore, was come up again, and had broken bread, and eaten, and talked a long while, even till break of day, so he departed. Acts xxvii. 35. And when he had thus spoken, he took bread, and gave thanks to God (as our Lord at the passover) in the presence of them all; and when he had broken it, he began to eat; then they were all of good cheer, and took refreshment, or nourishment, τροφή. And when they had **EATEN ENOUGH** they lightened the ship, &c.

But,

But, if the coming of Christ, so frequently mentioned in the gospel (compare Matt. xvi.—xxvii. Matt. xxiv. Mark xiii. Luke xxi. John xxi. 22, 23), relate to the destruction of Jerusalem, which is the judgement of some very judicious commentators, and critics^o: and if various parts of the epistles relate to the same event, 2 Theff. ii. 1. 8. James v. 8, 9.—2 Pet. i. 16, &c. it may appear to some, that the perpetuity of the Lord's supper, so far as relates to its absolute obligation, may be affected by it. Putting Christ to death, was the last stage of national depravity, by which the jews filled up the measure of their wickedness, and hastened the destruction of their city and temple; a destruction more complete, than all the annals of human misery can shew, or ever will. Our Lord, therefore, it has been said, foretold its destruction in the strong figurative language of the ancient prophets; compare Is. xiii. 10. Ez. xxxii, 7. Joel ii. with Matt. xxiv. And christians were in possession of the signs, which were to precede this destruction, so as to escape the ruin, which involved their unhappy countrymen. It is, then, natural to suppose, that this event would make part of their private conversation, and be frequently alluded to in the epistles to the churches. And, if the coming of the gospels relates wholly to the destruction of Jerusalem^p, the expression in the Corinthians may so too. Nor need we wonder that the writers of the epistles should speak in such cautious language, (well enough understood by christians;) for by speaking out they might have exposed themselves, still more, to the resentment of the persecuting jews. See further, an

^o Pearce, Hammond, Grotius, Harwood, Wakefield, &c.

^p Grotius and Dr. Hammond suppose there were three comings of Christ. See further Hurd on Prophecy, vol. 2.

Attempt to illustrate various important passages in the new testament, by N. Nisbett, M. A.

If it be asked, what relation the destruction of Jerusalem had to the christians at Corinth? It may be replied, exactly the same, as it had to those of Theffalonica; for if it be sufficient to say, that the jews had a synagogue at Theffalonica; and though they were distant from Jerusalem, yet that by going there at the great festival they would be involved in the misery of their countrymen, and the christians be delivered from their persecutions: all this will apply exactly to the Corinthians: the jews had a synagogue also at Corinth, Acts xviii. and were also fore persecutors of the christians. Paul's expression, therefore, of shewing forth the Lord's death till he come, may have, on these principles, a local reference. He says, indeed, 1 Cor. i. 11, with all, that in EVERY place are called by the name of Jesus Christ; but the epistle is addressed to the church at Corinth, a city of Achaia; every where, therefore, only means, every where in the regions of Achaia, as bishop Pearce hath justly remarked, in loco.

There is another interpretation of the coming of Christ, adopted by a very learned writer, who is also not singular in his opinion. See a Sermon on the predictions of the apostles concerning the end of the world, preached by Dr. Edwards, at St. Mary's Church, Cambridge. According to him, the phrase stood for the end of the world, which he supposes the apostle imagined would take place in that age, with the destruction of Jerusalem: and that though they were right in their expectation of the latter event, they were mistaken as to the former.

What the apostle says, 1 Cor. xi. 23, has been reckoned by some to establish the divine authority of this rite: For

I received

I received of the Lord, that which also I delivered unto you: though I do not think it necessary to admit, that the apostle meant, he received this account from an extraordinary illumination; he might have had the account from others; as he elsewhere says, I received that which I delivered to you, 1 Cor. xv. 3. which does not seem to relate to any supernatural information. As to the expression, from the Lord, even admitting he never uses it but when a divine interference is implied, as in 1 Cor. xi. 31, 32. If we judge or condemn ourselves—and then alluding to a former remark, he says; but being judged or condemned of the Lord: for in our translation the last clause is wrongly stopped, and wrongly translated: yet to say the most, the apostle's account is but a simple relation of what happened at the time. If, however, it be admitted that this distinct part of the gospel history, as well as the gospel itself, and his commission to teach it, was received by divine illumination by Paul, agreeably to Gal i. 11, 12, 13, still he is only giving an account of what happened at a particular time, and it may still be doubted whether any thing he there says amounts to a positive precept; or that if he even conceived the rite obligatory, whether his conceptions were not too hasty, rather agreeable to the imperfect views of a man, just emerging from judaism, than of one leaving first principles, and going on to perfections.

The treatises of those writers, who have written most professedly on the Lord's supper (Bp. Hoadley, Dr. Taylor, and Dr. Bell), I have not now at hand, but I have read them; and, if I recollect, some of these objections they have not attended to, and some of their arguments, probably, I have not taken in here. Mr. Glasie of Scotland, has written elaborately on this subject; but though a man of considerable abilities, he has treated it fancifully. See his

treatise on the Lord's Supper. And with him the kiss of charity, and washing the saints' feet, rest on the same authority, and have equal obligation with the eucharist.

But if the coming of Christ be interpreted in connection with the scheme proposed by Anglo Scotus in the Theological Repository^q, every thing here objected will pass for nothing. For, I confess, if that writer^r can establish his system, an unanswerable argument will be formed in favour of the perpetuity of the eucharist, so far as an apostle's opinion may be received as divine authority^s.

I should have observed, in another place, that the scheme proposed by Anglo Scotus in the Theological repository supposes, that there were two questions put by the disciples to our Lord: When shall these things be? And what shall be the sign of thy COMING? According to him, therefore, the coming of Christ always means the glorious appearance of Christ to reign on this earth. Dr. Taylor, in his paraphrase on the Romans, supposes, that day, the end of all things, the appearance, and the coming of Christ, &c. so frequently mentioned in the epistles, coincide with a person's death, and with him Mr. Wakefield agrees, (on Matt. xxiv.) though he does not admit, that two questions were put to our Lord. The latter writer supposes, that from speaking of the destruction of Jerusalem, our Lord passes (from ver. 41.) to that more general event, that was to take place among mankind. That many of the passages, at least, produced by Dr. Taylor, relate to death, is, I think, unquestionable. For, it should be observed, that christians are never exhorted to prepare for DEATH—Either of these

^q Theol. Rep. vol. 6.

^r Mr. Palmer of Dundee.

^s ΤΟΥΤΟ ΠΟΙΕΙΤΕ ΕΙΣ ΤΗΝ ΕΜΗΝ ΑΝΑΜΝΗΣΙΝ, do this in remembrance of me, is not in the Cam. MS. or the Lat. MSS; though it is quoted by Justin Martyr, (Apol. 2.) from Luke.

schemes affords a presumption in favour of the Eucharist. And not to insist that Christ absolutely appointed it, in some societies, no provision can have more benevolent tendencies. Nor do I think it necessary to be convinced of its absolute obligation to receive it, in remembrance of Christ, and in token of union with a christian society. Eating and drinking together, both among the ancient jews and gentiles, was not only a symbol of making a covenant with their deities, but of friendship among men. Whether Christ has made it absolutely obligatory, I leave others to decide.

PART OF A LETTER

LEFT WITH

ROBERT HALL, A. M.

✓ MINISTER OF THE DISSENTING CONGREGATION MEETING
IN ST. ANDREW'S PARISH, CAMBRIDGE,

And read to the Society.

DEAR FRIENDS,

HAVING it in contemplation to leave this part of the world shortly, most probably never to return, at least for a continuance, I think it incumbent on me to thank you for many civilities shewn me, and to take an affectionate and respectful leave of you. Considering too I stand at present a member of this society, though for several years past I have not regularly filled up my place, I wish to leave behind me the following declaration.

Without detaining you then with a needless introduction, I mean to acquaint you, that I no longer consider myself a member, and shall be obliged to the gentleman, ✓ who keeps the church book, to take my name out of it. You will not, however, I flatter myself, be hasty in forming your opinions on the motives of my conduct.

I. I am influenced by no prejudice against the members of this society. I came to you through a disapprobation of our religious establishment: and I found many among you,
whose

whose views of it were congenial with my own : men too whose friendship I never had reason to question ; to whom I soon became attached by considerations of gratitude ; and towards whom, as possessed of inquiring minds, and I am persuaded, of upright intentions, as lovers of liberty and of the word of God, I could feel no subsequent dislike ; but still retain the most sincere esteem ; and with whom, if I do not in future life retain the most cordial friendship, it shall be owing to no defect in me.

II. Nor am I influenced by any prejudice against your minister. It is true, I did not, at any time, give my voice to his appointment, and I have only attended his preaching occasionally. My conduct did not proceed from caprice, but was directed by reasons ; by none, however, which imply any opinion of your minister either with respect to his abilities, or his integrity, but what is honourable, and whom, in future life, I hope ever to find reason to esteem and respect.

III. I have, it is true, preached occasionally, and in your pulpit, and persons unacquainted with me, may think I wish to retire from the society, as having no opportunity to preach. But the truth is, I have been for some years past so engaged, as to have had no leisure to preach, no inclination : happy to see this department occupied by persons better qualified for it by their studies and habits ; happy also in the pursuit of subjects more agreeable to my own inclinations.

IV. Nor, finally, have I been prevailed on to take the present step through the persuasion of others. Indeed my resolution was formed, and my declaration drawn up, without the advice, and even without the knowledge of a single person ; nor from an expectation of finding persons with whom I hope to be more affectionately united, than I have been with you ; nor, I speak in the fear of God, from any

worldly consideration whatever. Though I shall occasionally unite in worship with religious societies, yet I am not sure I shall henceforth be directly connected with any. As to my future connections, though I am not insensible to the sympathies, that unite human beings, and dispose men of kindred minds to mutual attentions, yet the GREAT BEING has so formed me, as to put me under the necessity of seeking independence, and I will trust to nothing but my own exertions, and the divine blessing, for my future support. I mean to go to London, but how to be employed, any further than in overlooking the printing of my book, I know not.

The world is all before me where to choose
My place of rest, and Providence my guide.

In short, in the hour of reflection, I can say, I am influenced by no motive, but what is just and honourable. Two reasons there are, which operate with me very powerfully. I will, in few words, lay them before you.

1. The first is of a religious nature. It is my opinion, and has long been, that Jesus Christ is not the proper object of divine worship; that Jehovah alone is. I do not hold it necessary to go into the subject in the way of argument. It is well known, that many of Dr. Watts's hymns, repeatedly sung in this place, ascribe divine honours to Christ. I judge no man. Many, I am aware, believe Jesus Christ to be God, and in worshipping him, they follow the natural order of their faith. Some unitarians have also thought, Socinus himself did, that divine worship should be paid to Jesus Christ; and some may be present at the singing of hymns, in which they do not choose to join. But as these hymns now appear to me (and I speak only for myself) to militate in a high degree against the object of divine worship, to be prejudicial to

true

true christianity, and to spread false views of the gospel before the rising generation; I cannot reconcile myself to even the appearance of giving countenance to them. And even Dr. Watts himself did at length disapprove them, and if it had not been from prudential considerations, would probably have altered them. Indeed I see nothing to admire in the whole exercise of public singing, though, as in itself harmless, and, like all the other forms of religion, discretionary, I do not condemn. This, however, is nothing to the present business. Yet assuredly I cannot approve paying divine honours to Christ, whom I believe only to be a man, though appointed by God to be the Saviour of the world. My objections, therefore, do not lie against the preaching; I could not only with patience, but even with pleasure, hear any gentleman of candour deliver sentiments different from my own, but against the worship of this place.

II. My second reason was of a political nature: but, on reconsidering the subject, it now appears to me, that political considerations are no proper reasons of separation from a religious society: besides, that among dissenters are found not only men of different judgments in religion, but of opposite persuasions in politics: sentiments congenial with my own, are, indeed, now making rapid progress through the nation, and are peculiar to no religious party: many who have long felt the english government corrupt and oppressive, begin to see the source from whence those evils arise^a. Among dissenters I know many, who rank

^a I am informed that a vote of a member of parliament, uniformly obsequious to the will of the minister, may command 50*l.* a year. For this the member signs his name, and the paper is burnt at the end of the session. This was mentioned by sir G. Saville in the house of commons, and was never contested. Some manœuvres of the treasury were detected at a late trial. See the trial of W. Rye, Esq. and some spirited and well written remarks on it, entitled, Corruption exposed.

among the first ornaments of this country, the true friends of civil and religious liberty : while at the same time I have some letters now lying before me, written too by dissenters, which inform me there are not wanting, even among
 ✓ themselves, men who are enemies to both^b : and in contrast with these I have the declaration of a noble peer, that certain political reformers do not go far enough, and the information of an amiable and learned friend in the vicinity of Cambridge*, that a certain popular work is much read and admired by the students of Cambridge. The names and characters of some of the principal persons, who form the society of the friends of the people, meeting at the Free Masons Tavern, have been circulated through the kingdom, and are well known to belong to no particular party. I can also assert the same of the other political societies now formed in London, having had my particular reasons for getting accurate information on this subject from several of their chairmen. Our pensioned sycophants cannot say
 “ these are mere cabals of dissenters.”

I shall therefore omit publishing several things contained in my original letter. It is sufficient for me that they are

^b See two sensible pamphlets, one entitled, *Remarks on a sermon lately published by the Rev. John Clayton, in three Letters to a friend, by a Protestant Dissenter* : the other, *Christianity consistent with a love of freedom, being an answer to the same sermon, by R. Hall, A. M.* Prefixed to the former of these pamphlets, is the following quotation from Mrs. Macaulay's reign of Charles I. “ That the people might learn to kiss the rod of power with devotion, and becoming slaves by principle, reverence the yoke; priests were instructed to teach speculative despotism, and graft on religious affections systems of civil tyranny.” Nobody can suspect me of illiberal sentiments towards the dissenters at large, but justice requires me to do homage to truth : priests are not confined to establishments.—While I admit the great good sense which is conspicuous in the last pamphlet, and express my esteem for the author, I beg leave to submit to his consideration, p. 397, 398, 399, of this Inquiry.

* Mr. Hammond, (late fellow of Queen's,) of Fenshanton, whose zeal in maintaining the principles of liberty, and truth entitle him to great respect.

known

known to the friends to whom they were addressed, and they will be received by them, I hope, as a proof of my upright intentions, and sincere friendship.

However, the open language I mean to use, and the decided conduct I mean to pursue through life, still incline me to abide by the purposes alluded to in that letter; and putting my thoughts now on paper, I consider myself connected with no party, and no party is responsible for me. While I write, a circumstance is turning up, which gives energy to my resolution.

Justum et tenacem propofiti virum
Non civium ardor PRAVA JUBENTIUM,
Non vultus instantis tyranni
Mente quatit solida.

When a NATION sighs, shall not the GOD of NATIONS hear?

As I am disposed, my friends, to form my opinion of the motives of your conduct as a society of christians, by that love, which hopeth all things; so I persuade myself, from that confidence which I have in your friendship, that you will estimate my conduct by the same rule, and impute no motive to me, which I do not avow. Farewell.

TO ROBERT HALL, A. M. CHAIRMAN.

DEAR SIR,

You will oblige me by reading the above at the next church meeting. I remain,

SIR,

your affectionate friend,

and obedient humble servant,

CAMBRIDGE, DEC. 1791.

G. DYER.

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THE END.

ADVERTISEMENT.

SEVERAL friends, having repeatedly expressed a desire of seeing a volume of Poems which I have by me, I take this opportunity of acquainting them, that a small volume will be published in a short time by Mr. Johnson, St. Paul's Church Yard. I beg pardon for an apparent inattention to the requests, which my friends did me the honour to make; but after repeated attempts, I found the attention requisite to correct poetry inconsistent with that course of reflection necessary for finishing the present work. If these poems meet with acceptance, I have it in contemplation to print a larger collection at a future period, having several by me in the same strain. As nearly as I can guess, they will make two small volumes. They will be accompanied with two dissertations; one containing remarks on some of the principal greek and roman poets, particularly with a view to shew the effect of their mythology on their poetry: the other, remarks on our principal english poets, in order to shew how far they have been successful in imitating the ancients.

I also beg leave to acquaint my friends, that I have another work in contemplation, (for which I have considerable materials by me) and for my competency to which they will judge from the present work. My aim will be in this, to imitate, as nearly as can be, the plan of the Spectator, though the work will have
✓ a political tendency. In the course of it, the characters of some of our principal political writers will be given from the time of Q. Elizabeth to the beginning of the present century: Sir Henry Spelman, Sidney, Harrington, Hobbes, Milton, Pen, and Locke; those whom a modern writer * calls the reformers of England; and some modern writers of a character, somewhat different from them. As my aim will be to produce as original a work as I can, the passages which I shall insert from these writers will seldom be in a way of long and formal quotations, but short and beautiful passages, with some remarks on the times in which the authors lived, as throwing light on their characters. To give, however, an air of variety to this work, classical subjects will be occasionally introduced, and one paper, in seven, in imitation of the Spectator, will be of a serious and religious nature, though
✓ never theological. Points of religious difference will never be introduced in these volumes. As a work of this extent (and it will be entirely my own production) cannot be pursued without uniform attention, and, as I know by experience, that the education of youth, and the public instruction of men, are not suited to my talents, I leave it to the consideration of my friends, how far they may think
✓ proper to encourage it. I do not mean that this work shall exceed three small volumes; and shall not publish any part, till I have finished one: which I intend to print as a monthly pamphlet, containing four numbers for each week. These works, I apprehend, will not be completed in less than three years.

* Mr. Wyvill in his Defence of Dr. Price, and the reformers of England.









